2959. Also, petition of the Rockford, Ill., Manufacturers and Shippers' Association, protesting against any change in the transportation act during the present session of Congress; to the Committee on Interstate and Foreign Commerce.

2960. Also, petition of the Hess & Hopkins Leather Co., of Rockford, Ill., expressing opposition to any governmental intervention in industry and commerce, and particularly protesting against the McNary-Haugen bill; to the Committee on Agriculture.

2961. Also, petition of the Hamilton Club, of Chicago, Ill., opposing the McNary-Haugen bill; to the Committee on Agriculture.

2962. Also, petitions of the Chamber of Commerce, the I. O. U. Club, and the Rotary Club, all of Belvidere, Ill., asking for the passage of the Izaak Walton or upper Mississippi River wild life and fish refuge bill (H. R. 4088); to the Committee on Agriculture.

2963. Also, petitions of the National Association of Post Office Clerks; the Rockford (Ill.) Mitten & Hosiery Co.; postal employees of Ottawa, Ill.; Branch No. 1021, La Salle (Ill.) National Federation of Post Office Clerks; postal employees of Edgewater Station, Chicago, Ill.; Nelson Knitting Co., of Rockford, Ill.; employees of Streator (Ill.) post office; the Free Press of Streator, Ill.; W. J. Burke, president Royal Tea Co., of Joliet, Ill.; Hon. W. W. Bennett, Hon. Peter T. Anderson, and Hon. J. H. Halstrom, mayor, all of Rockford, Ill., praying for the passage of the postal salary increase bill (H. R. 9035); to the Committee on the Post Office and Post Roads.

2964. Also, petitions of the Shop Employees' Association of the Wabash Railway; the W. D. Allen Manufacturing Co., of Chicago; the Condon Bros., seedsmen; the B. Z. B. Knitting Co.; the Rockford Manufacturers' and Shipping Association; the Forest City Bit & Tool Co., of Rockford, Ill.; the Illinois Chamber of Commerce; the Rockford Storage Warehouse; the Illinois Valley Manufacturers' Club, of La Salle, Ill.; the Sandwich Manufacturing Co., of Sandwich, Ill.; the Joliet (Ill.) Association of Commerce; the Lehigh Portland Cement Co.; the Philadelphia Bourse; and sundry citizens of Illinois, protesting against the passage of the Howell-Barkley bill, or any material change in the transportation act; to the Committee on Interstate and Foreign Commerce.

2965. By Mr. GALLIVAN: Petition of Capt. John Bordman, of Boston, Mass., recommending early and favorable action on House bill 5097, which provides for the equalization of pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Committee on Military Affairs.

2966. By Mr. MAGEE of New York: Petition of citizens of Syracuse, N. Y., for repeal of the war-excise taxes; to the Committee on Ways and Means.

2967. By Mr. RAKER: Petition of Louise M. Wilcox, president Woman's Improvement Club, Red Bluff, Calif., indorsing decision of the United States Government to participate in International Opium Conference; to the Committee on Foreign Affairs.

2968. Also, petitions of T. Erwin Kennedy, postmaster, Blue Nose, Calif., in support of House bill 9035, in re increase in salary of third and fourth class postmasters; Herbert F. Smith, of Sacramento, Calif., in support of House bill 9035; and Hon. Thomas Fox and George Vice, of Sacramento, Calif., in support of House bill 9035; to the Committee on the Post Office and Post Roads.

SENATE

SATURDAY, *May 31, 1924*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, turning from yesterday's sadness and hope, we come to obtain Thy blessing in connection with the duties of the hour. Constantly help us, for sometimes we are liable to go astray and forget the need of divine guidance in the midst of the perplexities and the manifold anxieties of these days. Direct, we beseech of Thee, by Thy Holy Spirit, and help each to understand that whatever may have been the past, and the memorials thereof, we are here to fulfill obligations of the highest interest before Thee and for our loved country. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, May 26, 1924, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6202) to amend sections 11 and 12 of the merchant marine act, 1920.

The message also announced that the House had passed the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7220) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes.

The message further announced that the House had passed the bill (S. 588) for the relief of Daniel A. Spaight and others, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore.

S. 3249. An act granting the consent of Congress to the construction of a bridge across the Niagara River and Black Rock Canal;

H. R. 731. An act authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims;

H. R. 1018. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Albany Institute and Historical and Art Society of the city of Albany, N. Y., the silver service which was presented to the U. S. cruiser *Albany* by citizens of Albany, N. Y.;

H. R. 3852. An act providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina;

H. R. 5573. An act granting certain public lands to the city of Shreveport, La., for reservoir purposes;

H. R. 6482. An act authorizing the Postmaster General to contract for mail-messenger service;

H. R. 6721. An act to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, as amended, and for other purposes;

H. R. 8209. An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the transportation act, and for other purposes;

H. R. 8886. An act providing for sundry matters affecting the Military Establishment; and

H. R. 9124. An act authorizing the sale of real property no longer required for military purposes.

JUDGE WILLIAM S. KENYON

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, which was read and ordered to lie on the table, as follows:

THE SECRETARY OF THE TREASURY,
Washington, May 29, 1924.

DEAR MR. PRESIDENT PRO TEMPORE: Referring to my report to you of May 26, 1924, in response to Senate Resolution 173, the question has been raised as to the accuracy of this report in so far as ex-Senator Kenyon appears associated with D. M. Kelleher. Senate Resolution 173 called for a report not only on ex-Senators who had appeared as attorney or agent but also "who is a member of any firm or partnership appearing as attorney or agent." In order to comply with the resolution the Treasury Department jointly with the other departments of the Government prepared a list of the members of partnerships in which the names of ex-officials or ex-Senators appeared, using such books of reference as were available. In Martindale's American law directory for 1922, which is a standard directory, the firm Kenyon, Kelleher & Mitchell appear with W. S. Kenyon as senior partner. By reference to Who's Who, 1922–23 edition, after Senator Kenyon's name appear the words, "In law practice at Fort Dodge." Based on this information, cases in which D. M. Kelleher appeared before the Treasury Department were reported in response to Senate Resolution 173.

I am now in receipt of advice from ex-Senator Kenyon to the effect that there never was such a firm as Kenyon, Kelleher &

Mitchell; that ex-Senator Kenyon was a nominal partner of Mr. Kelleher up to eight years ago, but never since has had any connection with any firm or any law business. I therefore desire to correct the report submitted to you by me under date of May 26, 1924, by striking out from such report the cases in which Mr. D. M. Kelleher appeared.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

The PRESIDENT PRO TEMPORE,
United States Senate.

INSTALLATION OF RADIO DEVICES IN SENATE CHAMBER

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, which was ordered to lie on the table and to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, May 27, 1924.

The PRESIDENT PRO TEMPORE,
United States Senate.

SIR: Reference is made to my letter of May 17, 1924, advising that Maj. Joseph O. Mauborgne, Signal Corps, has been designated as War Department representative of the joint commission provided by Senate Resolution 197 to investigate and report to the Senate upon the problems relative to the installation and maintenance of certain electrical transmission and receiving apparatus and radio equipment for broadcasting the proceedings of the Senate throughout the country.

During the temporary absence from the city of Major Mauborgne, Capt. Fred P. Andrews, Signal Corps, has been designated to act for Major Mauborgne on the joint commission referred to.

Sincerely yours,

JOHN W. WEEKS,
Secretary of War.

NORTHERN PACIFIC LAND GRANTS

Mr. LADD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 4, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1926"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1926"; and the Senate agree to the same.

E. F. LADD,
RALPH H. CAMERON,
T. J. WALSH,
Managers on the part of the Senate.
N. J. SINNOTT,
ADDISON T. SMITH,
JOHN E. RAKER,
Managers on the part of the House.

The report was agreed to.

CLAIMS OF THE CHOCTAW AND CHICKASAW INDIANS

Mr. HARRELD. I ask unanimous consent to call up the conference report on the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oklahoma?

Mr. CURTIS. I have no objection to the conference report, but I think we ought to get through with the routine morning business before we take up anything else.

The PRESIDENT pro tempore. The regular order is demanded. The presentation of petitions and memorials is in order. The Chair lays before the Senate a bill from the House of Representatives for reference.

HOUSE BILLS REFERRED

The bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore presented a petition, numerously signed, of sundry citizens of Crawford County, Iowa, praying for the passage of the so-called McNary-Haugen export corporation bill, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a resolution of Riverton Lodge No. 26, A. F. & A. M., of Riverton, Wyo., favoring the passage of legislation creating a Federal department of education, which was referred to the Committee on Education and Labor.

Mr. CAMERON. I present a resolution adopted by the general assembly of the Presbyterian Church in the United States, at a meeting of 1,000 commissioners in session at Grand Rapids, Mich., favoring the passage of Senate bill 966, for the continuance of construction work on the San Carlos Federal irrigation project in Arizona, and for other purposes, and I ask that it be printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the resolution was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

Resolution of the General Assembly of the Presbyterian Church in the United States of America, adopted unanimously at a meeting of 1,000 commissioners in session at Grand Rapids, Mich., May 27, 1924

Whereas the Senate bill 966, known as the San Carlos Federal irrigation project, in Arizona, has passed the United States Senate, and is recommended for passage in the House by the Committee on Indian Affairs, with the approval of the presbytery of Phoenix, the synod of Arizona, the National Staff, the Committee of One Hundred, and the Indian Rights' Association;

Whereas this legislation is designed to restore to the Pima Indians the water for the tillage of their lands which they had before the settlement of the State;

Whereas there are among the Pimas over 1,000 Presbyterians who without this water are in yearly danger of starvation and with it should be able to pay their own ministers: Therefore be it

Resolved, That the stated clerk be instructed to send at once the following two telegrams, respectively:

To the President:

To the Speaker of the House, Hon. FREDERICK H. GILLETT:

The General Assembly of the Presbyterian Church in the United States of America earnestly requests the enactment of Senate bill 966, known as the San Carlos irrigation project, in Arizona, which is now before the House, as a measure of justice to the Pima Indians, whereby the family life of these Indians may be established in industry and self-support, their personal character freed from its present hindrance of hunger and poverty, and the churches which the boards of our church have nourished may be permanently established.

REGULATION OF CHILD LABOR

Mr. BAYARD. I present the petition of the Woman Patriot Publishing Co., touching upon the matter of the child labor amendment now pending before the Senate and ask that the same may be printed in the RECORD, including the note and appendix, and lie on the table.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

Petition to the United States Senate

[President, Miss Mary G. Kilbreth, Southampton, N. Y.; vice president, Mrs. B. L. Robinson, Cambridge, Mass.; secretary and treasurer, Mrs. Randolph Frothingham, Boston, Mass. Board of directors: Mrs. John Balch, Milton, Mass; Mrs. Rufus M. Gibbs, Baltimore, Md.; Mrs. Randolph Frothingham, Miss Mary G. Kilbreth, Mrs. B. L. Robinson]

THE WOMAN PATRIOT PUBLISHING CO.,
Washington, D. C., May 29, 1924.

To the honorable Members of the United States Senate.

GENTLEMEN: The board of directors of the Woman Patriot Publishing Co. is unanimously opposed to the child labor amendment.

A hearing before the Senate Judiciary Subcommittee on Child Labor having been denied us, we therefore respectfully petition the honorable Members of the United States Senate:

First. That the improperly termed "child" labor amendment be rejected for the following reasons:

The youth of the Nation up to 18 years would be outrageously wronged by national prohibitions of the right to work for their parents or for their own self-support and higher education.

The youthful poor of the Nation, if forbidden to work up to 18 by the Government, with the alternative of obeying the law or of starving, would be driven to work underground, in sweat shops, where there is much more danger of exploitation than in open, inspected factories, and there would result all the evils of bootleg child labor,

followed by vicious espionage and invasion of the homes of the people in violation of Article IV of the Bill of Rights by swarms of bureaucrats from Washington with inquisitorial powers. It is absurd to pretend that these salaried professional humanitarians would have the interest of the youth of distant States as much at heart as the mothers who bore them or the communities in which they live.

This benign-looking amendment, drawn and promoted principally by an American Socialist leader (Mrs. Florence Kelley, translator of Karl Marx and friend of Frederich Engels, who instructed her how to introduce socialism "into the flesh and blood" of Americans), is a straight Socialist measure. It is also promoted under direct orders from Moscow. (Documentary evidence on the above is submitted in detail hereafter.)

The spearhead of the communist campaign in the United States is the joint promotion of two congressional measures—of this amendment, to prohibit the labor of all youth, making Government financial support (doles for children) a necessity, and of the Sterling-Reed Federal education bill, engineered by the selfsame groups to obtain central control of the minds of American youth, to destroy their love of country and willingness to defend her by means of doctored textbooks, prepared in the interlocked interests of socialism, pacifism, internationalism, and bureaucracy.

The youth of the Nation up to 18 years can not be placed under the guardianship of the pacifist internationalist Federal Children's Bureau without endangering America's future means of national defense.

Second. That if the Congress shall deem it necesary to propose an amendment to nationalize legislation for youth, that the proposal, affecting the future rights and liberties of every father, mother, and child in the United States, shall be submitted for ratification to conventions of delegates elected on this issue in each State, in accordance with the provisions of Article V and in accordance with the manner in which the Constitution itself was submitted to the people, through conventions, by unanimous resolve of the framers, in 1787.

TENDENCIES OF THIS AMENDMENT

We discuss in the following memorandum the evil tendencies and principles of this amendment, as well as its text.

Abraham Lincoln, in his debate with Douglas, October 15, 1858, said:

> "When I propose a certain measure or policy, it is not enough that I do not intend anything evil in the result, but it is incumbent on me to show that it has not a tendency to that result."

We show both the intentions of the chief advocates and managers of this amendment and its inevitable tendencies, and contend that both intentions and tendencies are subversive of our Bill of Rights.

As plain citizens, not lawyers, we are interested not so much in legal, abstract aspects of the Constitution—of the instrument itself—as in the practical, concrete protection it affords us and in the actual loss of our liberties resulting from any violations of the Bill of Rights, particularly the fourth, ninth, and tenth amendments, which guarantee the basic rights of the home and of local self-government.

That this practical, empirical attitude toward the Constitution is legitimate is maintained by the Supreme Court of the United States. (Myers *v.* Nebraska, decided June 4, 1923.)

The court declared, in part:

> "Without doubt it [the Constitution] denotes not merely freedom from bodily restraint, but also the right of the individual to contract, to engage in any one of the common occupations of life * * * to marry, establish a home, and bring up children * * * to enjoy those privileges long recognized by common law as essential to the orderly pursuit of happiness by free men. * * * The established doctrine is that this liberty may not be interfered with, under guise of protecting the public interest, by legislative action which is arbitrary or without relation to some purpose within the competency of the State to effect."

The court (although considering merely the right to teach a foreign language) proceeded to describe in detail the system suggested by Plato for the welfare of his ideal commonwealth, including governmental guardianship of children, the State as an overparent, etc., and reached the following conclusion on that point:

> "Although such measures have been deliberately approved by men of great genius, their ideas touching the relation between individual and State were wholly different from those upon which our institutions rest; and it hardly will be affirmed that any legislature could impose such restrictions upon the people of a State without doing violence to both the letter and spirit of the Constitution." (Myers *v.* Nebraska, June 4, 1923.)

It is not necessary to go so far afield as the Supreme Court to find examples of this struggle, as old as history, by autocrats to substitute the State for the parents in the care of the young.

Official records and authoritative utterances of the chief proponents of this amendment show that it is based on "ideas touching the relation between individual and State" that are "wholly different from those upon which our institutions rest," but in exact accord with the present program of the Communist International.

A VIOLATION OF OUR DUAL FORM OF GOVERNMENT

That this amendment is also a reversal of our dual form of government—which leaves local and domestic affairs to the administration of the States, where they are most efficiently and democratically adjusted by the people in their local communities—is so self-evident that it is not discussed further in this memorandum.

Your petitioners, however, respectfully record themselves as not only in favor of regulation of child labor by the States, but as firm believers that only by State regulation, with opportunity for changes dictated by local experience, can the problem of child labor ever be dealt with successfully.

OPPONENTS NOT EXPLOITERS OF CHILDREN

The Chief of the Children's Bureau, before the House Judiciary Committee, declared:

> "It is a controversy between groups, and one group is for the protection of the children and another comes in and wants to exploit the children." (House hearings, p. 45.)

The implication of the above statement and many others in the House hearings, as well as in the debate on the floor of the House, is that citizens opposing this seizure of power over the youth of the Nation would exploit children, while the public is asked to believe that professional, high-salaried bureaucrats, who would enormously benefit directly by this amendment, are disinterested altruists, concerned with nothing but protection of the children.

Mr. Gray Silver, Washington representative of the American Farm Bureau Federation, opposing this amendment, justly declares:

> "The farmer resents, and rightly so * * * the idea that he raises a family for the purpose of harvesting a cotton crop." (A. F. B. F. news letter, March 6, 1924.)

The charge that opponents of this disguised communist and bureaucratic plot to limit, regulate, and prohibit the labor of all youth up to 18 in all occupations "want to exploit the children" is obviously false.

STIMULATED PROPAGANDA—NOT POPULAR DEMAND

That the demand for this amendment does not spring from the people, but is a stimulated propaganda by groups of self-interested proponents, is shown by the general attitude of the American people on child-labor legislation, as well as by the duplicity and exaggerations and self-contradictions resorted to to promote this amendment's passage, shown hereafter.

STATE LAWS INDICATING GENERAL PUBLIC OPINION ON CHILD LABOR

Public opinion on child labor legislation is indicated by the laws of the States—which universally permit children over 14 to work at various occupations—and by the fact that the Census Bureau in 1920 found only 9,473 children under 14 in the entire United States engaged in manufacturing and mechanical industries.

Every State in the Union permits children over 14 to work at light occupations, such as farm and home work, and, with proper permits, children over 14 are allowed to work in various commercial occupations in every State.

On the other hand, every State in the Union, without exception, prohibits the labor of children under 14 in certain occupations—varying with local conditions—which are considered injurious to such children.

Forty-one States permit the labor of children over 14 in factories and stores.

Five States—California, Maine, Michigan, South Dakota, and Texas—have a 15-year minimum for factories and stores, but allow exemptions.

Two States—Montana and Ohio—have a 16-year minimum for factories and stores, but allow exemptions. (See Child Labor in the United States, issued by the Children's Bureau, p. 18, et seq.)

AN UNDESERVED SLUR ON UTAH, WYOMING, AND OTHER STATES

The Children's Bureau map, page 18, Child Labor in the United States, blacklists Utah and Wyoming as having "no age minimum" for both factories and stores. This has led to the declaration by many Congressmen during the House debate that "two States have no child labor laws."

Utah and Wyoming, however—which have few factories—do prohibit the labor of children under 16 and under 14, respectively, in mining, one of their great industries. (Children's Bureau map, p. 21.)

A study of Children's Bureau maps in Child Labor in the United States will show that they are arbitrarily arranged to blacklist as many States as possible, practically every State being blackened or shaded on one or more of these maps. If Utah and Wyoming wanted to exploit children they would have model factory laws and would exempt mining. These two States, in which women were granted the ballot, respectively in 1869 and 1870, would have undoubtedly passed model factory child labor laws had anybody suggested it to their legislatures. To hold these States up to condemnation and as blots on the map of the United States, as the Children's Bureau does at page 18 of its booklet, is deliberately misleading, derogatory to sovereign States, and would not be permitted on the floor of either House under its rules.

The Children's Bureau itself, under the Federal child labor law, "issued 18,000 certificates in three States alone permitting children between the ages of 14 and 16 to work more than eight hours." (Letter of Secretary of Labor Davis, Senate report and hearings, p. 19.)

The President and Mrs. Coolidge, without a breath of criticism, but, on the contrary, with much public approbation, permitted their 14-year-old son to do light work for wages last vacation.

These facts indicate that there is no real public opinion in this country adverse to the moderate employment of children over 14 in ordinary light occupations.

The fact that the Census Bureau found only 9,473 children under 14 in the whole United States engaged in manufacturing and mechanical industries also proves how generally public opinion is in agreement, because any one State with manufacturing and mechanical industries bent on exploiting children could permit a greater number of such children to work within its own borders than the Census Bureau found in all the States.

The real situation is well described by Representative FINIS J. GARRETT, minority leader in the House:

> "It is within the power now of all the States to regulate child labor, and I dare say that by the exertion of one tithe the interest that is being put forth here to bring about governmental revolution in those States now regarded as backward would bring immediate response from the State legislatures. The State governments are yet closer to the people than the Federal Government. The influences of the good mothers * * * can be exerted much more directly upon their representatives in the State legislatures than they can upon the Congress, much more intimately upon the bureaus of the States that will enforce the State laws than can be exerted upon bureaus here, in some instances thousands of miles from their homes." (CONGRESSIONAL RECORD, April 25, p. 7171.)

"MILLION CHILDREN SAVED" AND "MILLION CHILDREN WHO SLAVE."

That child labor has greatly decreased is strikingly attested in a financial appeal sent out by the National Child Labor Committee, dated November 6, 1922, which opens as follows:

> "One million children saved from exploitation and helped to opportunity. Did you realize, when you sent in your subscription in the past to our national committee, that your help would mean so much?
>
> "The census figures, just out, prove it. They show a decrease of 929,367 child laborers in the last 10 years. Isn't that a remarkable achievement? * * *
>
> "P. S.: May we count on you for at least $10? A blank is inclosed."

When the National Child Labor Committee is counting on its subscribers "for at least $10" each, it uses the census figures to prove "a million children saved." On the other hand, when there is more money in a Federal amendment than in $10 contributions, the same census figures are used to show "a million children who slave."

FOUR SELF-INTERESTED GROUPS OF ADVOCATES

Four self-interested groups are proponents of this amendment:

1. Certain employers in States having highly restrictive child labor laws, who favor this amendment, believing a uniform national law would eliminate competition with States having less stringent laws. (The National Association of Manufacturers, however, and various State associations of manufacturers are opposed to this amendment on principle, even in States where it is argued that a uniform national child labor law would be to their commercial advantage.)

2. Leaders of the American Federation of Labor, who advocate this amendment not only in the belief of its benefits to the child but also because they believe (mistakenly, in our opinion) that its adoption would eliminate the competition of unorganized child workers with organized adult labor.

We contend, on the contrary, that the increase of unorganized "bootleg child labor" by this amendment would be an injury to organized labor and a worse competitor than the open, inspected, and regulated labor of children from 14 to 18 under present State laws.

Mrs. Florence Kelley has said:

> "The trade organization of home working mothers is insuperably difficult." (Women's Industrial Conference, Women's Bureau publication No. 33, p. 5.)

What Mrs. Kelley says of home-working mothers applies to all underground sweatshop labor. It can neither be organized nor effectively protected.

3. Job hunters and bureaucrats seeking to create new jobs in defiance of public demand for reduction of bureaucracy, both because of its cost and of its political machine power.

4. Communists and socialists striving to establish governmental control and support of the entire youth of the Nation, which is the basic tenet of communism. (See Engels's Origin of the Family, pp. 91–92; official program, Young Communist International, p. 49; and "First demand," Young Workers' League of America, official resolutions, p. 12.)

PROOF OF GROUP SELF-INTEREST

1. Self-interest of employers:

Representative DALLINGER's statement:

> The section that I come from has adopted humane legislation along these lines * * * and we are subject, of course, to the competition of other sections where they have no such legislation. It is a serious question whether we can continue to compete with these sections of the country that do not have this humane legislation." (House hearings, p. 3.) * * * "I do not believe it is right for that section to be penalized because it has adopted that humanitarian standard." (Ibid. p. 9.)

Representative FOSTER:

> "I think that the industries of the State of Ohio in looking after its youths ought not to be required to compete with the industries in an adjoining State which refuses to do it." (House hearings, p. 11.)

2. Self-interest of organized labor:

Mr. Edgar Wallace, official representative, American Federation of Labor:

> "We do not see that * * * it is necessary that we should bring into industry the children of the workers, as well as the workers themselves, the children to compete with and depress the wage scale of the fathers." (House hearings, p. 58.)

Miss Melinda Scott, representing United Textile Workers of America:

> "I hope we shall have the abolition of home work because of its insanitary aspect. It is a menace to all of the community. It tends to lower the wages of the women in the factories." (Women's Industrial Conference, Women's Bureau Bulletin No. 33, p. 116.)

Miss Grace Abbott:

> "I do not think there is any question but what child labor operates in a vicious circle to make the parent get less, and so perpetuate poverty." (House hearings, p. 28.)

Children's Bureau, official publication, No. 64:

> "Every child in school."
>
> "Take the child from the factory."
>
> "Give a man a job" (p. 5).

Representative PERLMAN, New York:

> "The little children, even on the farms when they are permitted to be employed are competing with their parents. If these children were not employed, but permitted to go to school, labor would pay more * * * the same condition would hold good in factories, where the employers would have to pay fair wages to the employees and the latter would not have the children competing with them." (House hearings, p. 11.)

Representative CONNERY, Massachusetts:

> "I think it would help the whole country if you regulated child labor so that you would have to pay the men good wages." (House hearings, p. 14.)

3. Self-interest of social workers, etc.

Former Speaker Champ Clark, speaking on the Smith-Towner education bill (CONGRESSIONAL RECORD, October 11, 1919), said:

> "The milk in this coconut is to create a lot of new fat jobs."

Representative Lester D. Volk, speaking on the maternity act (CONGRESSIONAL RECORD, November 19, 1921), said:

> "In order to maintain schools of philantrophy, to teach social work as a profession, it is necessary to obtain jobs; hence the women's associations are led by those interested."

Mr. Clark and Mr. Volk were not exaggerating. They were accurately describing a new business, a growing industry, with schools of philantrophy and social service graduating professional welfarers, and professional lobbyists and press agents conducting drives on Congress and State legislatures to supply berths for them at the taxpayers' expense.

High-salaried, self-interested, professional "social welfare" has replaced unpaid, self-sacrificing charity.

Charity may have covered a multitude of sins. "Social welfare" covers a greater "multitude of new offices."

SOCIAL WORK AS A PAYING PROFESSION

In "Social work as a profession for college men and women," Miss Kate Holliday Claghorn, member of the faculty of the New York School of Philantrophy, wrote, in 1915:

> "What distinguishes the new form (of social work) from the old is, first, the requirement of professional standards of technique and skill; secondly, a money return for the exercise of that skill * * *.
>
> "What are the rewards in the profession after college man or woman has chosen it? * * * The young man going into social work will usually find that his initial earnings will be higher than in the older professions, and later on he has rather more assurance of being able to command a salary of $2,500 to $3,000 within a few years than the average man going into law, medicine, teaching, or the ministry. There are some positions—and their number is increasing—which pay from $5,000 to $10,000. * * * And certainly the names of Miss Addams in the settlement field, of Miss Richmond in organized charity, of Mrs. Kelley in the field of social

legislation, and of Miss Lathrop at the head of the Federal children's bureau come at once to mind as representative leaders, indicating that the higher reaches are not altogether barred to women."

Miss Claghorn is also the author of the Federal children's bureau book, "Juvenile Delinquency in Rural New York," in which she writes:

"The law should make available a probation officer in every inhabited section of rural as well as urban communities. The officer should preferably be a person publicly paid, but where this is as yet impracticable, the best obtainable person should be officially authorized to begin the work upon a volunteer or privately paid basis, pending the establishment of a paid position." (Page 49.)

Mrs. Irene Farnum Conrad, of Cincinnati, is quoted in the Kentucky Kernel (organ of the University of Kentucky), January 30, 1922, with a lecture on "Vocational guidance," in part as follows:

"A social worker endeavors to perfect human relationships. * * * The salaries of social workers range from $300 to $10,000."

INTERLOCKING CHILD LABOR CONNECTIONS

Miss Grace Abbott is president of the National Conference of Social Workers.

The National Child Labor Committee, one of the chief backers of this amendment, is interlocked with the New York School of Philanthropy, Edward T. Devine, director of the New York School of Philanthropy, was one of the original board of trustees of the National Child Labor Committee.

The National Child Labor Committee also interlocks directly with the socialists, through Owen R. Lovejoy, its general secretary (socialist and personal friend of Eugene V. Debs) and through Mrs. Florence Kelley (socialist, translator of Marx and friend of Engles); with Hull House, Chicago, through Miss Jane Addams; with Henry Street Settlement, New York, through Miss Lillian D. Wald; and with the Children's Bureau, through Miss Lathrop, its former chief.

Mrs. Kelley, Miss Addams, and Miss Wald were on the National Child Labor Committee's original board of trustees and Miss Lathrop on its advisory committee. Owen R. Lovejoy, socialist, has held the position of general secretray of the National Child Labor Committee since 1907.

CONNECTIONS WITH EDUCATIONAL BILL

Furthermore, this amendment and the campaign for a $200,000,000-a-year Federal department of education (both backed by the same groups of lobbyists, led by the so-called "Women's Joint Congressional Committee") are both parts of one "drive"—to get every youth out of industry and into school and to furnish more Government jobs under centralized Federal control of youth and duplicated State and Federal administration than can be secured for social workers, teachers, truant officers, etc., under the present American system of local self-government where each community is now free to spend on education or social service the amount its own people deem necessary.

The connection between "child labor" and a Federal department of education is demonstrated in Children's Bureau Publication No. 64, "Every Child in School," in part as follows:

"The Towner (education) bill, introduced in Congress in May, 1919, seeks to find the alternative to child labor." (P. 9.)

"Secure in your community higher salaries for teachers." * * * (P. 10.)

"The superintendent of public instruction at the request of the child-welfare committee sent out a questionnaire. * * * With this questionnaire was distributed 'The truant officer's opportunity,' a leaflet published by the child-welfare committee. Returns indicated that the majority of the truant officers in the State are underpaid and past the active age of life. * * * A well-trained attendance officer * * * should be a part of every school organization." (P. 11.)

"Children of school age were in factories because there were not a sufficient number of attendance officers to keep them in school and out of industry." (P. 12.)

A new edition of "The truant officer's opportunity" and of "Social work as a profession" would be needed under this amendment to describe the "new, fat jobs" available when the Government undertakes to prohibit all labor up to 18 years.

NOT A "CHILD" LABOR AMENDMENT

The people are being deceived regarding this improperly termed child labor amendment. The word "child" appears nowhere in the text of the resolution. That word and all reference to "child" or "children" were deliberately kept out of the text (although stressed in all propaganda), because the managers of the amendment know that no court would let them do under a "child" labor amendment the things they intend to do under this amendment.

Mrs. Florence Kelley, socialist, who is primarily responsible for the drafting of this amendment (see Senate Rept. on S. J. Res. 1, pp. 49, 90, 91), in a letter to Senator COLT writes:

"Nothing can be more uncertain than the limitations which future courts may place upon the word 'child.' * * * I withdraw all objections to the word 'twenty-one years,' but I am afraid of 'child.'" (Senate Rept. on S. J. Res. 1, p. 123.)

Again, Mrs. Kelley says:

"I am indeed very apprehensive about the use of the word 'child.'" (Senate hearings, p. 90.)

Prof. William Draper Lewis, attorney representing the National Child Labor Committee, did at one time propose that the word "child" be used. (Senate Rept., p. 83). Senators SHORTRIDGE, WALSH, and COLT also seem to have favored, originally, a "child" labor amendment; but after strenuous objections by Mrs. Kelley and Doctor Lewis's own investigations of the legal interpretation of the word "child" he wrote to Senator SHORTRIDGE suggesting the use of the word "minors." (Senate Rept. p. 125.)

Senator SHORTRIDGE himself says:

"I do not wish to put the age limit at anything less than the full 21 years." (Senate Rept. p. 92.)

Mrs. Kelley, however, stated that she was willing to leave persons between 18 and 21 to the State "in exchange" for a "generous upward limit" of 18 years for the Federal Government rather than "revert to this vague word 'child.'" (Senate Rept. p. 91.)

Mrs. Kelley's ideas prevailed, and section 1 of the amendment confers power on Congress to limit, regulate, or prohibit the labor of youth up to 18 yeras of age; and section 2 empowers the State to increase the limit to any age, but leaves no power whatever to the States to go below any age limit fixed by Congress up to 18 years.

The people are being tricked.

Not one citizen in 10,000 dreams that the Federal maximum of 18 years, of section 1, which is all they have heard about the age limit, is merely the State minimum of section 2, beyond which the States are to be "stimulated" and urged to go!

What this amendment really provides for is the enforced idleness of youth.

The use of the words "child" or "children" in connection with this amendment is for propaganda purposes only. The proponents dare not place either of those words in the text of this resolution.

Professor Lewis, of the National Child Labor Committee, says:

"You will see from an examination of the cases to which I refer that the term 'child' has been held to mean persons under 14 years of age. (Senate Rept. p. 125.)

This amendment is not designed for "children" at all. The labor of children under 14 is already limited, regulated, or prohibited under the laws of every State in the Union without exception.

But no State in the Union, and no country in the world, as admitted by Miss Abbott herself, prohibits the labor of all youth up to 18 years, as Congress is empowered to do under this amendment.

Miss Abbott was asked by Mr. MONTAGUE:

"What is the highest standard now? Does any European country have a higher standard than 18 years?

"Miss ABBOTT. They are prohibited up to 18 years in no country nor in the United States." (House Hearings, p. 278.)

PEOPLE DECEIVED CONCERNING AGE LIMIT

The dual Federal and State powers under the two sections of the amendment are being juggled to fool the people. Section 1, with its Federal 18-year limit, is used as a smoke screen to hide the unlimited State power to raise the age conferred by section 2.

Miss Abbott and Mr. Owen R. Lovejoy (general secretary National Child Labor Committee) both admit that the public, including working women and proponents of an honest child labor amendment, "gets excited" and "are opposed" to the 18-year limit.

What will be the people's just wrath should the amendment prevail, when they learn that what had been pictured to them as a remote, improbable age limit of 18 years, to meet possible industrial conditions that may arise in future, is in truth only the immediate Federal minimum standard—a low level—below which the States must not fall, but above which they are to be stimulated and "jacked-up" by all the enforcement machinery of the Children's Bureau under this amendment, assisted by its trained lobbyists interlocked with the lobbyists and zealots of other feminist organizations.

To show how completely the people are being misled, Mrs. Kelley, Miss Abbott, Mr. Lovejoy, Professor Lewis, and Senator SHORTRIDGE himself are actually all on record as having no objection to even a Federal 21-year limit!

Yet to quiet intense popular opposition to even an 18-year limit, the leaders are telling the people that while the amendment gives Congress power to prohibit the labor of all persons in all occupations up to 18, they are not asking for such a statute "at the present time."

Miss Grace Abbott, speaking before the Women's Industrial Conference, called by the Women's Bureau, Department of Labor, January 11, 12, and 13, 1923, said:

"The amendment which we are especially interested in, which has been introduced in the House by Congressman FOSTER and in the Senate by Senator MCCORMICK, provides that Congress shall have the right to limit and prohibit the employment of children under 18 years of age. * * * Now I find, and I am not alone in that, that a good many people get excited about the phrase, 'children under 18 years of age,' and I want all of you to have that quite clear. * * * At any rate, the proposed amendment * * * if it passes, only gives Congress authority to legislate with reference to children under 18. * * * I hope this is entirely clear, because one or two have spoken to me about it and have thought that the amendment prohibited the employment of children up to 18 years of age; and, of course, we have not thought of asking Congress to do that. I presume the most we could expect immediately would be a little more than the standards of the first and second Federal child labor laws." (Women's Bureau Bulletin, No. 33, p. 92.)

On the other hand, before the House Judiciary Committee, Miss Abbott declared:

"I would have no objection to including 21 * * *.

"I am advocating 18 years at the moment." (House hearings, pp. 56–57.)

Again Miss Abbott says:

"I can not say too strongly * * * that as to the Federal law, I shall be enormously disappointed if we do not have the Federal law only a minimum law, but we will have continuing the problem of raising the standards in the States. * * *

"Where there has been a Federal law there has always been an increasing tendency to raise the State standards." (House Hearings, p. 269.)

"I want to get a Federal minimum, and at the same time give the States an opportunity to raise, but not lower, the Federal standards." (P. 272.)

"I think what all of us have had in mind for the amendment was an amendment which would give Congress the power to enact minimum standards, and which would leave to the States the right to give additional protection to their children if they desired. * * * What we want is * * * the Federal law operating as a minimum, and leaving the States full power to raise standards." (House hearings, p. 55.)

At the Senate hearings last year, Miss Abbott said:

"If we enact—phrase it how you will—an amendment which establishes a minimum standard, and allows the State to establish higher and not lower standards, we shall be giving to the children the real advantage of our Federal form of government, and high local protection." (Senate Rept. on S. J. Res. 1, p. 48.)

Mr. Owen R. Lovejoy, Socialist, general secretary National Child Labor Committee, testified:

"As to one or two questions raised in the discussion this morning, the phrase '18 years' raises confusion in the minds of many people. I have been through a number of States during the past two months, discussing this subject, and I found some people who came up after I thought we had made everything *perfectly plain* and raised objection. They said they were opposed to this proposition, because they did not want all children under 18 years to be forbidden to work. It took some time to show them that we did not mean anything of the kind. We showed that only within the limit of 18 years the Congress should have an opportunity to exercise its judgment." (Senate Rept., p. 54.)

Mr. Lovejoy immediately added:

"Perhaps it would solve the difficulty by making the term 21 years." (Ibid.)

Here we have leading advocates of this amendment, while frankly admitting before congressional committees that they have no objections to 21 years, trying to convince the outside public that they do not mean to use the power they insist upon in this amendment!

An official blue leaflet issued on behalf of this amendment by joint women's organizations, distributed by the National Women's Trade Union League, page 4, declares:

"The amendment must clearly give Congress power to legislate for boys and girls until they are at least 18."

Can it be denied that the people are being tricked?

APPLIES TO WORK ON FARMS AND IN HOMES

What will be the dismay of American parents when they also make the discovery that their 17-year-old sons and daughters may be forbidden by a distant bureau in Washington to "lend a hand" to help their fathers and mothers in the home or on the farm?

The original Senate proposals for a child labor amendment prohibited the "employment" of persons under 18. Miss Grace Abbott, Chief of the Children's Bureau, objected to this term, and asked that the word "labor" be used. Miss Abbott said:

"* * * the children often work with their parents and are not on the pay roll, and are not held to be employed, and we feel that is a dangerous word to use * * *.

"Senator JOHNSON. That is, you prefer 'labor'?

"Miss ABBOTT. Yes." (Senate Report, p. 39.)

Thus the word "employment" means only working for pay.

Representative RAMSEYER, who voted for this amendment, made this clear in the House debate:

"Mark right here, too, it does not say the 'employment' of persons under 18 years of age, but the 'labor' of persons under 18 years of age. * * * A boy who is sent by his father to milk the cows, labors. Under the proposed amendment Congress will have power to regulate the labor of a boy under the direction of his father as well as the employment of the same boy when he works for a neighbor or stranger. * * * Congress will have the power to 'limit, regulate, and prohibit' the labor of girls under 18 years of age in the home and of boys under 18 years of age on the farms. Gentlemen admit that the effect of the proposed amendment is just as I state it." * * * (CONGRESSIONAL RECORD, April 26, p. 7290.)

Hitherto neither of the Federal child labor laws, declared unconstitutional, nor the State child labor laws have applied to farm work or domestic home work. In its official booklet, Child Labor, Outlines for Study, issued by the Children's Bureau, April 1, 1923, the bureau says of the 1,060,858 children listed as gainfully occupied:

"Of these less than one-fifth were employed in occupations affected by the Federal child labor law and only about one-third in occupations affected by State child labor laws. The majority (61 per cent) were engaged in agricultural pursuits, and were therefore, subject to no regulation, either State or Federal" (p. 11).

Thus the Children's Bureau admits that under an amendment applying to "labor" on the farms and in the homes, incalculably more Federal jobs can be furnished professional social workers, inspectors, etc., than under an amendment applying only to "employment" in industry.

CHILDREN'S CHORES OFFICIALLY REPORTED AS "CHILD LABOR"

The attitude of the Children's Bureau toward farm and home-work is set forth in its official report, Child Labor in North Dakota, in part as follows:

"Detailed information was obtained from all children under 17 years of age who reported that they had during the year previous * * * lived on a farm and done farm work for at least 12 days of 6 hours or more, or who, while attending school, customarily spent 3 hours or more a day at chores." (Child Labor in North Dakota, p. 2.)

"Two hundred and forty-four children reported such housework as cooking, washing dishes, making beds, sweeping, and caring for younger children." (Ibid. p. 24.)

"Many of the children—that is, 313 of the 747 who reported that they had regular duties other than farm work—had done more or less occasional work * * * handling separators and other utensils * * * repairing farm property, such as pens or fences, looking after poultry, and hunting eggs." (Ibid. p. 24.)

"More than half the children included in the study had hoed. Most of the hoeing was done in connection with the home garden." (Ibid. p. 13.)

All these children's chores, down to "hunting eggs," "washing dishes," and "hoeing" in the home garden (without regard to any employment or wages), are seriously and officially reported by the Federal Children's Bureau as samples of "child labor in North Dakota"! (See also Children's Bureau report, Child Labor on Maryland Truck Farms, and Child Labor in Texas, etc.)

REGULATORY POWER OVER FARMING DEMANDED BY CHILDREN'S BUREAU

The following testimony shows that the Children's Bureau demands Federal regulatory power over youth as to farming:

"The CHAIRMAN (Mr. GRAHAM). * * * this being a general power, it includes the power to regulate labor upon the farms and in agriculture.

"Miss ABBOTT. Yes.

"Mr. MONTAGUE. You would give them just as much regulatory power as to farming as you would to mines or any other work or occupation?

"Miss ABBOTT. Yes; as far as the power goes." (House hearings, p. 36.)

A QUESTION OF POWER, NOT OF CONFIDENCE IN INDIVIDUALS

Advocates of this amendment are asking for "a full grant of power" to limit, regulate, or prohibit the labor of all youth, in all occupations, up to 18 years, while at the same time pleading for confidence that such power will not be exercised.

We respectfully maintain, with the Supreme Court, that—

> "Questions of power do not depend upon the degree to which they may be exercised in the particular case." (Chief Justice Marshall, in Brown *v.* Maryland, 12 Wheat. 419.)

The test of a power is not how it is probable that it may be exercised, but what can be done under it.

Thomas Jefferson, 1798, riddled this plea for "confidence" in questions of power, as follows:

> "It would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; * * * confidence is everywhere the parent of despotism—free government is founded in jealousy, not in confidence; it is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power; * * * our Constitution has accordingly fixed the limits to which, and no further, our confidence may go. * * *
>
> "In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution." (Kentucky resolutions.)

POWER CLAIMED BY CHILDREN'S BUREAU

The Chief of the Children's Bureau, addressing the eighth biennial convention of the National Women's Trade Union League, at Waukegan, Ill., June 5–10, 1922, opened her statement as follows:

> "The Children's Bureau has the whole field of child welfare and child care. It has developed three main divisions—the child hygiene division, the social service, and the industrial division." (Official proceedings, p. 89.)

In the course of the above speech Miss Abbott said:

> "The question of the present time comes down to a constitutional amendment. * * * There are several points that come up now for decision—to give Congress power to regulate child labor or give Congress power to establish a minimum standard with the States having power to raise but not to lower that standard; another is that whether we should have a child labor amendment at all, it shall not have something more than child labor; that is, whether it should include in the amendment more in the way of language giving us constitutional authority to do some of the other things in the Federal field that we might like to do, and whether that is tactically the thing to do, at the present time is the question." (Official proceedings National Women's Trade Union League, 1922, p. 90.)

Miss Abbott thus admitted that this amendment was designed to mean "something more than child labor"; that the Children's Bureau, whose chief claimed "the whole field of child welfare and child care" in that speech (without once mentioning mothers, fathers, or parents) is seeking "constitutional authority" to do "other things" which it does not consider it "tactically" expedient to reveal to the public "at the present time."

That was two years ago. Miss Abbott is now demanding under this amendment "a full grant of power" which would be beyond the reach of the Supreme Court!

Speaking on this amendment before the House Judiciary Committee, Miss Abbott said:

> "I think the amendment should be inclusive. * * * It seems to me a full grant of power to Congress is in line with the other grants of power in the Constitution." (House hearings, p. 35.)
>
> "I think it would be very foolish to put in that amendment the preciseness you would have in a statute, because, as I say, it would defeat the general purpose for which we are contending. The preciseness of a statute belongs in a statute, and not in an amendment, which is a grant of power.
>
> "Mr. MONTAGUE. You would make no exception at all?
>
> "Miss ABBOTT. I would make no exception at all. * * *
>
> "Mr. SUMNERS. You would have it a finished job?
>
> "Miss ABBOTT. Certainly. * * *
>
> "Mr. HERSEY. There are a number of forms of amendments before us, some of them describing the age and the manner and the kind of employment prohibited; * * * there are other resolutions saying that Congress shall have the power to prohibit and at what age, and omitting details. * * * Which one do you favor?
>
> "Miss ABBOTT. I favor the general grant of power. * * * Yes; the general grant of power with the statute to be worked out in the future.
>
> "Mr. HERSEY. Then anything that is before us * * * in regard to whether it shall be farm employment or some other employment that is prohibited, of course, is outside of what you desire at this time, which is merely an amendment granting that power.
>
> "Miss ABBOTT. It is totally irrelevant, it seems to me, at this time." (House hearings, p. 36.)

"Totally irrelevant" in Miss Abbott's opinion, that the people should know "at this time" how she intends to regulate the lives of the Nation's youth under a blanket grant of power!

Is it conceivable that American mothers and fathers will tamely submit to turning over their sons and daughters to Miss Grace Abbott as an overparent?

POWER RIVALS THAT OF KOLLONTAY IN SOVIET RUSSIA

The power of the Chief of the Children's Bureau, under this amendment, would rival that of the soviet feminist chief, Alexandra Kollontay, who, when the communists divided the spoils of revolution, picked the department of public welfare, and thus became "people's commissar of public welfare" (cabinet secretary), with full control of marriage, guardianship of children, social service, and care of veterans. (See preface to Marriage Code of Soviet Russia, by Alexander Hoichbarg, or Kollontay's article in Soviet Russia (New York communist magazine), August 15, 1919, for descriptions of soviet public welfare department powers.)

Of course, the next step after this amendment will be a Cabinet post for the Chief of the Children's Bureau.

For the propagandists will ask: "Is not the Nation's youth more important than its Postal Service, its crops, its cattle, its soldiers, and sailors?"

Then we shall have copied the communist experiment that aroused the greatest opposition from the people, even in Bolshevik Russia.

INCLUSION OF FARM LABOR A SOCIALIST TRICK

Why do the managers of this amendment demand that it include the labor of 17-year-old youths on farms? The answer to that question, as to many others regarding this amendment, is found in the proceedings of the National Socialist Party Convention of 1908:

> "We are just as much opposed to children working on farms as we are to children working in the factories, and we stand to abolish the whole present system of production." (Official proceedings, p. 186.)

Insistence that this amendment cover farm and home work was so strong on the part of its managers that, everything to the contrary, even when offered by advocates of a Federal child labor amendment was rejected in the House.

Even the amendments to exempt "the labor of children on the farm of the parents" and the "labor of such persons in the homes and on the farms where they reside" were rejected. (CONGRESSIONAL RECORD, April 26, pp. 7292, 7294.)

Why? This very question of why the amendment was not limited to employment and to factories, mines, stores, and shops, etc., was asked by Mr. RAMSEYER, an advocate of the amendment, in the House debate.

The answer was that the committee hardly knew, except that this form was the one that advocates wanted. Mr. MAJOR of Missouri, a member of the committee that reported the amendment, said:

> "I could not tell you why this amendment was adopted or was drafted in the particular form it is, other than to say that all the organizations—some 15 or more—that advocated it asked for it in this form." (CONGRESSIONAL RECORD, p. 7261.)

Of course, probably 95 per cent of the Members who voted for this amendment do not know it is a Socialist amendment. That is the real tragedy. If the Socialists were outnumbering or overpowering the two great parties, there would be some excuse for submission to Socialist demands.

But the Socialists are simply outwitting the major parties and getting them to promote revolutionary Socialist measures under false and misleading labels, slogans, and propaganda.

AMENDMENT WILL DRIVE SMALL FARMERS INTO SOCIALIST CAMP

This amendment will promote Socialism by inclusion of farm labor in its prohibition. To demonstrate this it is necessary to examine the subject somewhat at length.

One of the main aims of the Socialist Party of America and of the Communist International (which organized a "Workers and Peasants' International" at Moscow last October at the suggestion of American Communists) has been to capture the "working farmers."

Socialists and Communists divide farmers into two classes:

1. The "working farmer" or "American peasant" (as the Communists call him), including small farm owners, tenants, and farm laborers without land. (See Socialist National Convention proceedings, 1908, p. 14.)

2. The farmer-employer who cultivates big farms with hired help.

The first three classes the Socialists have made efforts to capture through the I. W. W. (already including many migratory farm laborers), through the Farmer-Labor Party, and the "Federated Farm-Labor Party," the latter dominated by the Communists. Through the nonpartisan leagues and other organizations, including some left-wing "farmers' unions" under Socialist leadership, even the "gentleman

farmer" is often induced to promote various socialistic schemes of Government ownership. (See New York Times, magazine, November 18, 1923.)

But the field for Socialist propaganda among farmers is very limited unless great changes can be effected in his economic condition.

VICTOR BERGER, a member of the platform committee at the Socialist National Convention, 1908, said:

> "There is no intention and no inclination on the part of the platform committee to deny that we stand for the common ownership of the land. I fully agree with Comrade Carey on that point. It is simply a question of how he expresses it. (Proceedings, p. 183.)

Socialists, therefore, knowing they can not gain the support of the small farmer by admitting they intend to take his land and his team, must reach him by other methods. (See proceedings, National Socialist Convention, 1908, pp. 14–16, 173, 183.)

They must make him embittered and antagonized by his Government. They must make it impossible for him to operate his little farm, by his own labor, assisted by that of his sons, and thus force him into the employed class.

In short, Socialism demands that the little farm must go, that the farmer become a hired hand or discontented industrial worker, This propaganda of discontent, this effort to promote the "class struggle" between the great farm owner and the farm hand, and to make the small owner join the "working class" or "proletariat" is exhibited in every issue of the Farmer-Labor Voice, published at Chicago by the Communists.

If this amendment is adopted and farm labor prohibited up to 18 years, it means that the average small farmer, who can not hire outside labor in competition with the demand for industrial labor in the cities but must depend upon his sons for help during harvest, and with chores, is to be forced to give up farming and enter the class of farm or industrial laborers.

Every farmer who is compelled by what he is told is "the present system" to sell out his small farm, to lose the earnings of a lifetime and to become an industrial or agricultural hired laborer, is one more recruit for the wily Socialist, who tells him that "capitalism" is responsible for all his ills and promises that under socialism "the land will belong to its users." (See Federated Farm-Labor Platform.)

In this connection it may be noted that the excuse given for including farm labor in this amendment is a prophecy that agricultural conditions may be "totally changed" in the future, that only "large-scale agriculture" may be left, and children "will not be employed on the home farm."

Miss Abbott says:

> "We do not know what will develop with reference to agricultural labor in the future at all. We may have in the next 10 years or the next 100 years a totally changed situation from what we have now. We may have a vast growth of large-scale agriculture, and children will not be employed on the home farm, but under conditions approximating industrial employment." (House hearings, p. 35.)

VICTOR BERGER, member of the platform committee at the National Socialist Party Convention, Chicago, May 15, 1908, said:

> "* * * The prediction of the Marxians that we would some day have centralized the small farms into big farms of one hundred thousand or a million acres has not come true.
>
> "We do not know what the future of agriculture is going to be. We do not know whether in the future agriculture will be conducted on a very large scale, or whether the future of agriculture will be the intensive farming of very small tracts. There is a great deal to be said on both sides. * * *
>
> "However, we are not going to make a platform or program for unborn generations. We are dealing with the problem as it is now. And the truth of the matter is that centralization has not taken place in agriculture as it has in the field of industry." (Official proceedings, National Socialist Party Convention, 1908, p. 183.)

Miss Abbott uses the very jargon of the socialists regarding large-scale agriculture in the future. Like Mrs. Kelly, Miss Abbott implies an approaching change in the social order from private to collective ownership.

In other words, the excuse for including farm labor is that conditions in agriculture in the future may be exactly what the socialists are trying to bring about and what this amendment would help to bring about.

ORIGIN OF FEDERAL CHILDREN'S BUREAU

It is the duty of legislators and the public to scrutinize the Federal bureau which this amendment would make the guardian and overparent of the youth of our Nation.

Your petitioners are combating dangerous principles. We have no interest whatever in any persons mentioned, except as they are directly responsible for or connected with the promotion of these principles. But everybody who does not accept the socialist "materialistic conception of history" must admit that organized movements are created and controlled by persons, not by abstractions. Even the socialists find it impossible to write socialist history without crediting Marx and Engels or communist history without crediting Lenin and Trotski. Every religion, every political movement, every invention, and every idea has been originated by and developed only through the work of persons. In short—

> "A great movement must be judged by its leaders."—New York Times.
>
> "Leadership is a fair test of a question."—Mrs. Carrie Chapman Catt.

The Children's Bureau was established in 1912, not in response to popular demand, for the American people are naturally self-reliant, resoureeful, and energetic, and never thought of a Federal Children's Bureau until professional settlement-house workers and socialists imposed it on them.

The Federal Children's Bureau was established in 1912 as the result of a seven-year propaganda campaign, conducted principally by the following persons:

Mrs. Florence Kelley (formerly Wischnewetzky), socialist, translator of Karl Marx, friend of Frederich Engels (coauthor with Marx of the communist manifesto of 1848), who had been a resident of Hull House, Chicago, a founder of the National Child Labor Committee, the American Association for Labor Legislation (a product of the Second International), the National Consumers' League, etc., president of the Intercollegiate Socialist League (now the League for Industrial Democracy), who had been working for a Federal child labor law since 1905.

Miss Jane Addams, internationalist and pacifist, head of Hull House, Chicago, who was then at the height of her political influence, as indicated in the Senate report August 14, 1911, on the bill for establishing the Children's Bureau and by Miss Addams's participation in the Progressive Convention of 1912.

Miss Lillian D. Wald, pacifist, head of Henry Street Settlement, New York. (Miss Wald is credited with suggesting the idea of a Children's Bureau in 1909, but Mrs. Kelley had been working for a Federal child labor law since 1905.)

Owen R. Lovejoy, socialist, general secretary National Child Labor Committee, who, when the conviction of Eugene V. Debs, his personal friend, under the espionage act was upheld by the United States Supreme Court, wrote "Comrade" Debs that his conviction was an "outrage cloaked in legal technicalities," proving "the bankruptcy of the present social order," etc. (For text, see Appendix.)

Dr. Anna Louise Strong (now chief American press agent for Soviet Russia), who in 1911 conducted a number of "child-welfare exhibits" in Chicago, New York, St. Louis, Kansas City, Louisville, Montreal, etc.

Doctor Strong became "exhibit expert" of the Federal Children's Bureau. (See Children's Bureau Publication No. 14, entitled "Child Welfare Exhibits, by Anna Louise Strong.")

For the last two years Miss Strong has been Moscow correspondent for The Worker (official American communist organ), for the radical Federated Press, and for Hearst's International Magazine. (Further details of Miss Strong's Moscow connections and sympathies are submitted hereafter.

Judge Ben Lindsey, of the Denver juvenile court, who, with the head of the Colorado Society for the Protection of Children and Animals, came to Washington as one of the chief advocates of the establishment of a Children's Bureau in 1909, and who in 1912 glorified "the conception of government as an overparent," etc.

It may be noted that all the above persons have had some of their activities recorded in the revolutionary radicalism report of the New York Legislature.

Mrs. Florence Kelley, Miss Jane Addams, and Miss Lillian D. Wald were all on the original board of trustees of the National Child Labor Committee, of which Owen R. Lovejoy has been general secretary since 1907.

The House hearings of January 27, 1909, and the Senate report, August 14, 1911, on the bills establishing the Children's Bureau contain the legislative records of its origin.

Miss Julia C. Lathrop (a resident of Hull House), who became first Chief of the Children's Bureau in 1912, did not appear at the hearings on the original bills and had no part in the leadership of the campaign for establishment. Neither did Miss Grace Abbott (a resident of Hull House), who succeeded Miss Lathrop as Chief of the Children's Bureau. Miss Lathrop and Miss Abbott were simply Hull House residents placed in charge after the bureau was established.

MRS. FLORENCE KELLEY'S LEADERSHIP

Mrs. Florence Kelley's leadership in the establishment of the Children's Bureau is attested in the Woman's Journal, official feminist organ of that time (now the Woman Citizen), of April 6, 1912.

Immediately after the establishment of the Children's Bureau the Woman's Journal published a big cartoon entitled "Pigs Versus Children," showing Uncle Sam sitting in an armchair, with two pigs in his lap, scowling at a mother and her children standing before him, while

little children in the background are being driven into a factory by men with long cattle whips.

Beneath that remarkable cartoon (illustrating feminist "gratitude," perhaps) was this statement:

> "Congress, which appropriates $3,000,000 to promote the health of pigs and other animals, has at last appropriated the meager sum of $30,000 for a Children's Bureau. * * * This is the outcome of seven years of indirect influence by Mrs. Florence Kelley and many other earnest women." (Woman's Journal, April 6, 1912, p. 107.) "Pigs Versus Children" is one of many variations of the hog story (comparing appropriations to prevent hog cholera with Government care of children) which has been inflicted upon Congress and the public ever since 1909. It originated at the National Socialist Party Convention, 1908 (see official proceedings, p. 212), but may be found in the hearings and debates of 1909 and 1912 on the Children's Bureau, throughout Mrs. Kelley's maternity act propaganda of 1921, and in current propaganda in innumerable newspapers for both the child labor amendment and the education bill. It was even used before the United States Supreme Court by the Solicitor General in behalf of the maternity act, and was recently used on behalf of the education bill (Reorganization Committee hearings, January 7–31, 1924, p. 212), and the obvious answer to it made by Senator SMOOT.

A month later the Woman's Journal editorially declared:

> "We shall not be willing to let the establishment of the Children's Bureau mean simply investigation—it must mean power to change things." (Woman's Journal, May 11, 1912.)

Miss Jane Addams herself, in her article published with the Senate report of August 14, 1911, relative to the Children's Bureau, says:

> "These great questions of education and child labor can not be adequately cared for by States whose boundaries are determined by rivers and mountains. * * * We can not confine ourselves to child labor and detach it from all the other things which pertain to children, and then we are forced into a consideration of education, of health, of recreation—into all sorts of other questions." (Compare with Miss Abbott's statement, p. 4.)

Miss Lillian D. Wald, head of Henry Street Settlement, New York, and on the board of trustees of the National Child Labor Committee, who first suggested a Children's Bureau, testified, in 1909:

> "Whereas the Government as such has been acting and done its part for a great many interests in the community, by a strange and almost incomprehensible way the children, as such, have never been taken within the scope of the Federal Government." (House hearings, Committee on Expenditures in Interior Department, January 27, 1909, p. 3.)
>
> "The full responsibility for the wise guardianship of these children lies upon us. * * * But no longer can a civilized people be satisfied with the casual administration of that trust. * * * In the name of humanity, of social well-being, of the security of the Republic's future, let us bring the children within the sphere of our national care and solicitude." (Ibid. p. 35.)

"Casual administration," of course, means the parents, and "wise guardianship" that of a Government bureau.

"THE CONCEPTION OF GOVERNMENT AS AN OVERPARENT"—BEN LINDSEY

Judge Ben Lindsey, one of the chief speakers for the establishment of the Children's Bureau, in a signed article in the Woman's Journal, February 10, 1912, wrote:

> "An economic earthquake has shaken the 'old home' to pieces. The foundations are crumbled, the walls are spread, the winds of the world blow through. * * * The Nation, the State, the municipality, these have stepped in, assumed practical control of the family in its most intimate relations, and are overparents. * * * If I were a woman in 1912, these two fundamental things—the real meaning of politics and conception of government as an overparent—are what I would consider primarily and resolve upon understanding. (Woman's Journal, February 10, 1912, p. 46.)

This "conception of government as an overparent," as set forth by Judge Lindsey was reprinted as a pamphlet and circulated all over the country by feminists from 1912 to 1915. Similar expressions, many of them more extreme, may be found throughout feminist literature. (Other samples will be furnished on request. They are not included here on account of lack of space.)

SOCIALIST DICTATED DRAFT OF CHILD LABOR AMENDMENT

Mrs. Florence Kelley, socialist, who is credited with leadership in the establishment of the Federal Children's Bureau, as previously noted, was also head of the maternity act drive of 1921, as chairman of the maternity act subcommittee of the women's joint congressional committee, and is also chief draftsman of this amendment.

That Mrs. Kelley was the chief draftsman of the McCormick-Foster child labor amendment and was consulted as to proposed changes is attested in the Senate report, accompanying Senate Joint Resolution 1, at pages 49, 90, 91, 92, and 123.

For example, Mrs. Kelley says:

> "When we were laboring over the drafting of it," etc. (Senate Rept. 90.)

At page 49, Senate report, Mrs. Kelley declares that her instructions "included participation in the selection of a Senator who should be asked to introduce the bill," and she should make the adoption of that particular amendment her "chief occupation in relation with Congress until an amendment should be adopted."

Further evidence:

> "Senator WALSH of Montana. Mrs. Kelley, evidently you had something to do with drafting of this resolution. Will you tell us what idea was intended to be covered by the concluding words of the resolution; what it means?" (Senate Rept. p. 91.)
>
> "Senator WALSH of Montana. Mrs. Kelley, you would be helpful to us if you would take the draft now proposed by Professor Lewis and tell us what you feel ought to be added to it." (Senate Rept. p. 92.)

The socialist origin and control of the text of this improperly termed "child labor amendment" is therefore indisputable. Its socialist nature is demonstrated elsewhere in this memorandum.

A number of Senators and Representatives, including the Republican leader of the Senate, have introduced child labor amendments.

Is it not significant that only the amendments in the form approved by Mrs. Kelley have ever gotten out of committee?

Resolutions which did not apply to all occupations, including farm and home work, have been pigeonholed without exception.

That a socialist, translator of Karl Marx and friend of Frederich Engels, should have her proposed amendments accepted by a Senate committee which rejected the proposals of Senator LODGE, Senator JOHNSON, etc., and her proposed amendment prevail in the House while all proposals, even to allow the people to vote on the amendment through conventions, for changing it were rejected, is a clear demonstration of socialist power and leadership over the great parties, when socialism is cleverly disguised as emotional humanitarianism.

Mrs. Kelley (S. Rept. p. 52) said:

> "It is unsafe to leave children to the tender mercies of the pressure of ignorant parents," etc.

It is respectfully suggested that it is more unsafe to leave the drafting of a Federal amendment affecting the rights of every parent and child in America to the tender mercies of a translator of Karl Marx and friend of Frederich Engels!

CONNECTIONS WITH HULL HOUSE AND WOMEN'S INTERNATIONAL LEAGUE

Mrs. Florence Kelley, Miss Jane Addams, Miss Julia C. Lathrop, Miss Grace Abbott, and Dr. Anna Louise Strong have all been connected with Hull House, Chicago, and with the so-called "Women's International League for Peace and Freedom," perhaps the most radical women's organization with American connections.

Miss Jane Addams is international president of the Women's International League, and has presided at all four of its international congresses—Hague, 1915; Zurich, 1919; Vienna, 1921; Washington, 1924.

Miss Addams's name appeared with those of Nicolai Lenin and Eugene V. Debs as a leading shareholder in the Russian-American Industrial Corporation. (See World To-morrow, advertisement, November, 1923, p. 352.)

Miss Grace Abbott served as "consultative member" of its executive board at the recent Women's International League Fourth International Congress at Washington, May 1–7, 1924, and also took part in its first "Internationaler Frauenkongress" at The Hague, in 1915, as did Mrs. Kelley and Miss Addams, who presided.

The Women's International League, which has led the campaign in this country for recognition of Soviet Russia (see W. I. L. Bulletin No. 6, June, 1923) and urged women to take slacker oaths against all service to their country in time of war (see official W. I. L. report, Second International Congress of Women, Zurich, 1919, pp. 156, 160, 161, 262, and official W. I. L. report, Third International Congress of Women, Vienna, 1921, pp. 195, 196, 262) is also in favor of "the gradual abolition of property privileges," which is simply another way of advocating the gradual establishment of communism. (See official W. I. L. report, Third International Congress of Women, Vienna, 1921, pp. 101, 261; and official "Outline history of Women's International League," issued by same.)

For further proof of the communist nature of the "peace program" of the Women's International League every Senator's attention is invited to the "cahier" adopted by the Women's International League at Washington May 7, 1924. This "cahier," which may be obtained from the Women's International League, provides for the establishment of a "new international order" based on the soviet system of representation—world government representing trades and occupations in each country—and for the establishment of international communism, although elaborate care is taken in the "cahier" to describe the soviet system and communism without using those terms.

The vice president of the Women's International League, Frau Lida Gustava Heyman, Germany, was a member of Kurt Eisner's communist-socialist cabinet during the soviet régime in Bavaria in 1919. (See Daily Worker, communist, April 29, 1924.)

A member of the executive committee of the Galician section of the Women's International League was hung recently in Poland. She was indicted as a soviet spy, and hung while in prison. Women's International League members claim she was hung by the Polish Government while awaiting trial. Polish authorities contend that she hung herself rather than face trial. (See Daily Worker, communist, April 29, 1924, or The Nation, May 14, 1924.)

MISS ABBOTT'S RECORD AS A PACIFIST

Miss Grace Abbott, Chief of the Children's Bureau and "consultative member" of the executive board of the Women's International League, was a delegate to the original "Internationaler Frauenkongress" called at The Hague in April, 1915, at which the organization now known as the Women's International League held its first international congress.

That original international congress at The Hague was gathered together chiefly by Frau Rosika Schwimmer, of Hungary, "but in reality a *German agent*," says the Lusk Report (vol. 1, p. 971), who came to the United States immediately after the first defeat of the Germans on the Marne, in September, 1914, to secure the intervention of President Wilson and to organize women's peace leagues all over the United States.

Miss Grace Abbott, at the "Internationaler Frauenkongress," as it was called, moved that the fortifications of the Panama Canal be dismantled and that all international waterways be made "a property of all the nations."

Miss Abbott said in part:

> "The United States women have been especially fortunate in having with them during the last months Mme. Schwimmer, who told us in the same way as she told you what our duty was." * * *

Miss Abbott cited the absence of fortifications along the Canadian border, and proceeded:

> "We have been engaged in building the great Panama Canal, and we have done a generous thing in saying that all shall pay exactly the same tolls. * * *
>
> "But we have not followed this example, inasmuch as we are fortifying the canal in order that the high road that is binding together two parts of the world becomes a source of destruction in the same way as the Suez Canal and others.
>
> "It is therefore necessary that conditions shall be established on the Panama Canal, on the Suez Canal, and other canals such as there is on the Great Lakes, so that these canals shall be a property of all nations. * * * The only time that the friendliness of the United States and Canada has been questioned has been in connection with the question of free commerce, and the only danger we have is the danger of competition for commercial advantage. It is therefore moved that the congress accept the following resolution:
>
> "'This congress further recommends the abolition of all preferential tariffs and the neutralization of the seas and of such maritime trade routes as the Panama Canal, the British Channel, the Dardanelles, the Suez and the Kiel Canals, the Straits of Gibraltar.'" etc. (Official proceedings Internationaler Frauenkongress, The Hague, April 28–May 1, 1915, pp. 147–148, issued by Women's International League.)

Frau Rosika Schwimmer, "in reality a German agent," says the Lusk Report (vol. 1, p. 971), who came to the United States and told American women "what our duty was," as Miss Abbott declared, also organized the Ford peace ship and various other schemes. After the war she became "Hungarian Bolshevik ambassador to Switzerland" (Lusk, vol. 1, p. 992), but was recalled, and for several years past has been making her headquarters at Hull House, Chicago. Frau Schwimmer was an active leader and speaker at the recent Fourth International Congress of the Women's International League at Washington.

"WE HAVE MORE INTERLOCKING DIRECTORATES THAN BUSINESS HAS"

(Mrs. Florence Kelley)

Interlocking connections between the Children's Bureau, the Women's International League, Hull House, the National Child Labor Committee, etc., cited here show only a small fraction of the great network of interlocking radical, pacifist, and bureaucratic organizations and activities.

To cover these radical "interlocking directorates" would require volumes, and therefore we confine this memorandum to a few samples.

Mrs. Florence Kelley, socialist, herself on the boards of many organizations and one of the chief interlocking directors of radicalism, pacifism, and so-called welfare legislation, testified before the House Committee on Agriculture:

> "We are now organized with a thousand ramifications. We have more interlocking directorates than business has." (Meat-packer hearings, May, 1921, p. 58.)

MRS. KELLEY'S SOCIALIST RECORD AND CONNECTIONS

The truth of Mrs. Florence Kelley's statement that radicals now "have more interlocking directorates than business has" is indicated by Mrs. Kelley's own record and connections.

Mrs. Kelley was born at Philadelphia, September 12, 1859, daughter of William D. Kelley, former Member of Congress. She graduated from Cornell in 1882, from Northwestern in 1894, and was State inspector of factories for Illinois, 1893–1897.

FREDERICH ENGELS TO FLORENCE KELLEY

Frederich Engels, joint founder with Karl Marx of modern socialism, instructed Mrs. Kelley, in a letter dated January 27, 1887, how socialism could be worked "into the flesh and blood" of Americans by their experience. He wrote:

> "The less it will be knocked into the Americans from without and the more they test it * * * by their experience the deeper it will go into their flesh and blood." (Quoted in New York Call, socialist organ, January 29, 1923.)

In 1897–98 Mrs. Kelley was the editor of the Archiv fur Sozialegesetzgebung, at Berlin.

Mrs. Kelley married a Russian or Pole named Wischnewetzky, from whom she was later divorced, which explains why some of her translations of Marx and Engels are by "Florence Kelley Wischnetwetzky."

In addition to other translations of Marx and Engels, Mrs. Kelley translated Engels's "Condition of the Working Class in England"—the inspiration of much socialistic legislation in the last 50 years—and in 1910 edited Edmond Kelley's "Twentieth Century Socialism."

Mrs. Kelley became general secretary of the National Consumers' League in 1899, a position she still holds. That organization and the American Association for Labor Legislation—a product of the Second International—which Mrs. Kelley helped to establish, have led the agitation for compulsory health insurance and other German socialist schemes. Mrs. Kelley also started the campaign for a Federal child labor law in 1905, was on the board of trustees of the National Child Labor Committee, and became vice president of the National American Woman Suffrage Association in 1905.

Mrs. Kelley was also president of the Intercollegiate Socialist League—the organization chiefly responsible for socialist agitation in schools and colleges—which changed its name two years ago to the "League for Industrial Democracy," but continues its socialist propaganda. Mrs. Kelley has also served as a member of the faculty of the Rand School of Socialism. A number of Mrs. Kelley's pacifist connections and activities during the war are covered in the Lusk report.

That Mrs. Kelley, who has headed nearly all the drives for German socialist "welfare" legislation, such as compulsory health insurance, the creation of the Federal Children's Bureau, the maternity act, etc., is still a recognized leader of the socialist cause to-day is attested by the appearance of her name at the head of a list of socialist and communist men and women who signed themselves "comrades" in sending a birthday gift last year to Warren K. Billings, a California convict sent to the penitentiary in connection with the preparedness day bomb outrages. (See New York Call, socialist organ, July 4, 1923.)

Mrs. Kelley led the campaign for the establishment of the Children's Bureau; was head of the drive for the so-called maternity act in 1921; and was the chief draftsman of this amendment, as shown elsewhere.

FORMER CHILDREN'S BUREAU EXPERT NOW CHIEF MOSCOW PRESS AGENT

Dr. Anna Louise Strong, who conducted a number of "child welfare" exhibits throughout the country in 1911 during the agitation for a Children's Bureau, and who became "exhibit expert" of the Federal Children's Bureau and author of Children's Bureau Publication No. 14, Child Welfare Exhibits, has become the chief American press agent and eulogist of the soviet system as attested by Leon Trotski himself; by Miss Strong's employment as Moscow correspondent for The Worker (official American communist organ); by her article on Lenin as "The greatest man of our time" in The Forum, April, 1924; and by her new book, "The First Time in History," with an introduction by Leon Trotski.

Three years ago Miss Strong went to Russia as publicity representative for the Friends service committee. When asked why the Friends needed a publicity representative in Russia, Miss Strong explained:

> "In order to raise money for the work. All of those missions must have the experiences of the people, the stories of the missions, and the work that is being done, the material for lantern slides, and the pictures themselves to get money for keeping up the work." (Interview, Boston Herald, March 23, 1924.)

In passing it may be observed that the services of press agents in Europe are necessary "in order to raise money" in America; and that it is the job of such press agents to paint the picture of European distress as black as possible to encourage Americans to contribute money "for keeping up the work."

While in Moscow, Miss Strong became correspondent for The Worker, official American communist propaganda organ, for the Federated Press—a radical propaganda press service—and for Hearst's International Magazine, sometimes using the pen name "Anise." Miss Strong was also a delegate to the Women's International League third congress at Vienna in 1921.

Her ability as a press agent, her service with the Federal Children's Bureau and the Friends service committee, her connection with the Women's International League and the Hearst publications, as well as with The Worker—American communist organ—and the radical Federated Press, mark Miss Strong as the most ubiquitous and influential American correspondent at Moscow.

Miss Strong has just issued a book glorifying Soviet Russia under the title, "The First Time in History."

Leon Trotski has written the introduction, in which he pays Miss Strong the following tribute:

> "In her numerous articles and correspondence she tirelessly made breaches in that wall of reactionary lies that made the most important of the imperialistic blockade around the revolution. This does not mean, of course, that Miss Strong was hiding the black spots, but she tried to understand and explain to others how these facts grew out of the past in its conflict with the future. Thanks to such an approach, the only correct one, the Nep, for the author of this book, is not vulgar prose and not a liquidation of the revolution, but one of its necessary stages * * *.
>
> "One of the stages of our building, not infrequently awkward, often mistaken, but historically unconquerable Anna Louise Strong shows in her book. That is why we think it has a right to attention.
>
> "LEON TROTSKI."

In The Forum, April, 1924, Miss Strong has a eulogy of Nicolai Lenin, entitled "The greatest man of our time," which opens:

> "No public man of our time has made such a gift to human progress as Lenin. No man has been so increasingly loved by so many millions of people. No man has attained such triumphant success, whether measured by actual achievement at the time of his death or by promise of growing results for the future."

The Federated Press Bulletin, December 15, 1923, announced:

> "'Anise,' Anna Louise Strong, for several years Moscow correspondent of the Federated Press, expects to fill American lecture engagements this winter. She can be reached at Hull House, 800 South Halsted Street, Chicago."

"IT'S A SOCIALIST AMENDMENT, AND THAT IS WHY I AM FOR IT"

(VICTOR BERGER, CONGRESSIONAL RECORD, April 26, p. 7311)

Nobody familiar with the records of Mrs. Florence Kelley, Owen R. Lovejoy, and other leaders of the child labor amendment drive would expect it to be anything but a socialist amendment.

VICTOR BERGER admits it. Nobody who examines the record can dispute it. Of course, it has been introduced by Republicans and Democrats—gentlemen unwittingly "selected" for that purpose in some cases by Mrs. Kelley and her cohorts, as she admits. (S. Rept. p. 49.)

But no Democrat or Republican who failed to introduce a socialist amendment, covering farm work and domestic home work, has been able to get it out of committee. No Democrat or Republican has been able to get a child-labor amendment reported. Only a socialist amendment, applying to all youth, on the farms and in the homes, is satisfactory to the persons who are engineering and promoting this amendment.

The socialists themselves, in their national convention of 1908, opposed an 18-year age limit, unless they were assured of Government support of children up to that age. VICTOR BERGER was a member of their resolutions or platform committee. The socialists then, like the Children's Bureau now, wanted "something more than child labor."

In 1908 the socialists had no hope of Government support of children. They therefore defeated the 18-year limit in 1908 and 1912.

But in 1916, when Industrial Demand E of the socialist platform of 1908, for "forbidding the interstate transportation of the products of child labor," became the first national child labor law, the socialists were encouraged to come out for Federal prohibition of child labor up to 18, a proposition they had deemed hopeless in 1908.

In 1908, however, the socialists discussed the whole question thoroughly demonstrating that "State support of children" is the necessary corollary of prohibiting the labor of youth up to 18 years.

Excerpts from the National Socialist Convention, 1908, official proceedings, follow:

Delegate Marguerite Prevey, Ohio:

> "I want to speak in opposition to the amendment offered that the age be made 18. We as socialists fully realize that you can not legislate the child-labor problem out of existence. We fully realize that so long as we have the capitalist system, where the father does not get wages sufficient to support the whole family, the children must go into the shops and factories to earn a living, and that they can't be kept in school until 16. * * * That is a condition that you can not legislate out of existence until the head of the family gets the full product of his labor. I am opposed to the amendment for that reason. Don't let us make ourselves ridiculous. We should understand the child-labor problem better than to apply such an amendment to this proposition." (Official proceedings, National Socialist Party Convention, 1908, pp. 206–207.)

Delegate H. L. A. Holman, Texas:

> "I am opposed to that clause in the immediate demands. If that clause would say that we opposed child labor and make a provision then so that the State would clothe and care for the child, then I would be in favor of that clause. But to make no provision for it seems really worse to me than the mercy of the capitalist class in employing them so that they may get food and raiment. If they will have it so that the State shall make provision to take care of the child and feed, clothe, and educate it, then I am for the resolution; otherwise, I am against it." (Ibid. p. 207.)

Delegate Edward Moore, Pennsylvania:

> "Four years ago, at the behest of the trade-unionists, we got a law adopted in the State of Pennsylvania prohibiting the employment of children under 18 years of age in the bituminous coal mines. It was scarcely on the statute books before the district of Pittsburgh of the United Mine Workers of America passed a resolution denouncing the law. I have here to back up what I say a member of the United Mine Workers of the State of Pennsylvania coming from that district." (Ibid. p. 208.)

Delegate Morrison, Arizona:

> "I am opposed both to the original and to the amendment—that is, to both the 16-year and the 18-year age limit—sorry as I am to say it. * * * Of the two, I would rather have the original, and I will tell you the reason why. My comrade told us about his early days and about how he worked. Well, I think I can tell you something, too, comrades, of early struggles. Left alone in the world when I was 9 years of age, in the frozen regions of Minnesota, I wished to know something about the world and went to work in the iron mines at 11 years of age. I think I know something of what it is to bow my neck to the taskmaster. And I will say, comrades, if I hadn't had a chance to work until I was 18 * * * I would have starved to death. Unless there should be some provision in that, that we are going to have the power to feed these poor devils that can't work, we had better shoot them." (Ibid. p. 210.)

The amendment raising the age to 18 was therefore voted down and Industrial Demand D of section 7 of the adopted platform stood: "By forbidding the employment of children under 16 years of age." (Ibid. p. 323.) Industrial Demand E: "By forbidding the interstate transportation of the products of child labor," of the socialist national platform of 1908, subsequently became the first Federal child labor law, in 1916, after 11 years of propaganda by Mrs. Kelley, Owen Lovejoy, etc., through the National Child Labor Committee.

Miss Grace Abbott says:

> "I think that this whole proposition of an amendment to give children this degree of national protection represents a new step in a new direction by the National Congress, a step, however, which is absolutely a logical one from the other two Federal laws that were enacted." (House Hearings, 1924, p. 272.)

This "new step in a new direction" is "absolutely a logical one" only if the platform of the Socialist Party of 1908 is to be followed, and the Constitution, as interpreted by the Supreme Court of the United States, is altered to conform to the demands of the socialist platform.

STATE SUPPORT OF CHILDREN A NECESSARY COROLLARY

Extreme proposals, such as those involved in this amendment, are socialistic and revolutionary, directly related to Government support of children, as shown at the Socialist National Convention of 1908.

Even advocates of this amendment have doubt whether such legislation would ameliorate conditions.

Hon J. D. BECK, Representative from Wisconsin, speaking at the Women's Industrial Conference at Washington, 1923, said, in part:

> "I am wondering whether, after we get perfect child labor laws, perfect laws regarding women in industry, sanitation, and all that, whether the struggle won't go on just the same almost as if we didn't have them. I have had a little experience in enforcing labor legislation and in enforcing the child labor law in particular. I have had occasion to wonder a great many times whether we weren't almost taking the bread and butter out of the mouth of the child and the parent by refusing a permit to work." (Women's Bureau Bulletin No. 33, p. 126.)

That an impending change of our system of government is expected by the managers of this amendment is shown as follows:

> "Mrs. Florence KELLEY. * * * for it is still the rule that fathers maintain their own children." (Industrial conditions as a community problem with particular reference to child labor, Annals of the American Academy of Political and Social Science, September, 1922, p. 61.)

Again, Mrs. Kelley:

"* * * as long as we have competitive industry—private ownership." (Women's Industrial Conference, p. 120.)

Miss Grace Abbott herself declares:

"When you undertake to get rid of child labor, then you must make some other provision for the care of those children." (House hearings, p. 264.)

The Socialist doctrine of State support of mothers and children has now become a political demand of radical women leaders.

Miss Alice Paul, leader of the National Woman's Party, says:

"We intend to insist, also, that the State assume entire responsibility for the maintenance and education of children until they become of age. When the women of the world have junked the battleships and other impedimenta of war, enough money will be released to take care of these reforms." (Washington Herald, October 25, 1920, p. 7.)

Mrs. Harriet Stanton Blatch, socialist (daughter of Elizabeth Cady Stanton), another leader of the National Woman's Party, says:

"The enfranchised women of America, through pressure brought by a Woman's Party, broadening, perhaps, to an international Woman's Party, could be instrumental in bringing political freedom to the women of the world * * * and behind all such social and economic demands lies the most important item on the women's program, namely, the endowment of motherhood." (The Suffragist, official organ National Woman's Party, October, 1920, p. 235. See also "Wages for mothers," Suffragist, November, 1920.)

The attitude of the Federal Children's Bureau toward State support of children is further indicated in Maternity Benefit Systems in Certain Foreign Countries (Bureau Publication No. 57); in the original maternity bill drafted by the Children's Bureau and introduced by Miss Rankin (providing for governmental free medical attendance, hospital care, etc.) and in the chief official publication of the Children's Bureau, Standards of Child Welfare.

Senator JAMES A. REED, of Missouri, demonstrated in the Senate June 29, 1921, that these publications contain "unqualified indorsement of the maternity benefits systems of Europe" and a "digest of the laws of the different countries that have adopted socialistic schemes."

In the official summary, issued by the Children's Bureau, of the proceedings of the international conference which drafted its Standards of Child Welfare, it is stated:

"The logic of the evidence adduced seemed to indicate that a very large ratio of the families of the United States obtain incomes too small to make possible the rearing of children in the manner which scientific and humane consideration, as well as the prosperity of the Nation, demand." (Standards of Child Welfare, p. 18.)

Again:

"The expression of any standard is merely an amiable generalization, unless the material means for its application are available." (Ibid. p. 17.)

CHILDREN'S BUREAU INDORSEMENT OF KOLLONTAY'S BOOK

At page 175, Maternity Benefits Systems in Certain Foreign Countries, Children's Bureau Publication No. 57, under the heading, "Sources of information, Russia," is the following statement:

"The most comprehensive study of maternity benefits and insurance which has yet appeared in any language is the volume by Mme. A. Kollontay. * * * Society and Motherhood."

The same Children's Bureau Publication No. 57, at page 165, on "Russia," says:

"The statements in this section are based on material furnished by J. G. Ohsol."

Johann G. Ohsol was director of the commercial department of the Russian Soviet Government Bureau, under Ludwig C. A. K. Martens, at New York. (See "Soviet Russia," New York communist magazine, October, 1921, p. 177.)

Mme. Alexandra Kollontay, indorsed by the Federal Children's Bureau as the author of the "most comprehensive study of maternity benefits," etc., was a German-paid Russian traitor, exposed as such by American newspapers and Government documents nearly a year before the Children's Bureau book was published in May, 1919, who was Soviet Russia's first commissar of public welfare, a position she took at the time of the Bolshevik revolution, November 7, 1917. Mme. Kollontay was exposed as a German-paid agent in the German-Bolshevik Conspiracy, issued by the United States Bureau of Public Information in October, 1918. (Document No. 7, etc.)

Mme. Kollontay is now soviet minister to Norway, after a hectic career which has included eight husbands, two positions as people's commissar—first commissar of public welfare and then commissar of propaganda—and two visits to the United States (in 1915 and 1916) as a German socialist agitator, after having been deported from three European countries, in 1914, as a dangerous revolutionist.

A book by Mme. Kollontay, entitled, "Communism and the Family"—the most ruthless attack on marriage since Frederich Engels wrote "The Origin of the Family"—has been distributed wholesale by the communists in America since 1919.

But while the Children's Bureau went out of its way to advertise and indorse, at public expense, in a public document, Kollontay's "Society and Motherhood" as "the most comprehensive study of maternity benefits," etc., the Children's Bureau has done absolutely nothing for "the protection of maternity and infancy" and the family against Kollontay's vicious "Communism and the Family" propaganda being distributed all over the United States, although the bureau claims "the whole field of child welfare and child care."

Others, however, have condemned the Kollontay system and doctrines as "the central tragedy of the Bolshevist régime."

KOLLONTAY SYSTEM "CENTRAL TRAGEDY" OF BOLSHEVISM

Sir Paul Dukes, one of the greatest authorities on Russia, writes:

"The central tragedy of the Bolshevist régime in Russia is an organized effort to subvert and corrupt the minds of children. * * * It has always been a Bolshevist principle to fight the institution of the family. Mme. Kollontay's writings can leave no doubt on that score, even in the minds of the skeptical. The idea is to remove children at an early age from parental care and bring them up in colonies." (New York Times, July 17, 1921.)

Professor Boris Sokoloff, although a socialist and member of the first all-Russian Constituent Assembly of January, 1918, writes:

"I am prepared to forgive the Bolsheviki many things, almost everything; but there is one thing which I can not and will not forgive them, namely, those experiments, positively criminal and worthy of the most savage tribes of the African jungle, which the Bolsheviki have been making all this time with our young generation, with our children. This crime knows no parallel in the history of the world. They have destroyed morally as well as physically a whole Russian generation." (Volia Russii (Will of Russia) February 16, 1921.)

But the Federal Children's Bureau is utterly silent on Kollontay or her system, except to advertise and indorse one of Kollontay's books as the "most comprehensive study of maternity benefits and insurance that has yet appeared in any language."

MOSCOW DICTATORSHIP OVER AMERICAN COMMUNIST YOUTH

The Fourth Congress of the Communist International, assembled in Moscow, November 7 to December 3, 1922, directed:

Resolution on Young Communist International

"The young communist organizations must establish their roots in the masses of the young workers * * * by constant attention to the questions affecting the lives of the young workers and by championing their every-day interests. The communist parties must give the utmost support to the economic activity of the young communists," etc. (Resolutions and Theses, 4th Congress of the Communist International, p. 70.)

Forthwith, in conformity with the above general instructions, the Young Communist International, offspring of the adult world organization, held its Third International Congress in Moscow, December, 1922, immediately after that of the parent body to which it affirmed allegiance.

The official booklet, Programs of the Young Communist International, issued by the executive committee of the Young Communist International, February 20, 1923, and published by Schoeneberg, Berlin, affirms:

"The young communist leagues are subject to the political leadership of the communist parties * * * that is, the leagues accept the program, the tactics, and the political instructions of the parties. (P. 33.)

"The Young Communist International accepts the principles of the Communist International and forms one of its sections. The executive committee of the Young Communist League maintains close contact with the executive committee of the Communist International and is subject to the latter's political leadership. (P. 45.)

"Above all, the Stuttgart minimum program (adopted in 1907 and previously adhered to by the working-class youth) is a program of reforms to be carried into practice within the bounds of capitalist society by means of reformist methods. * * *

"The militant program of the Young Communist International, however, can not respect the exigencies of the capitalist economic system, nor be merely a means to eliminate the worst instances of the exploitation of the working-class youth. It must proclaim * * * the complete transformation of the conditions of juvenile labor, and its socialistic reorganization.

"Therefore, the Young Communist International * * * has elaborated a new program of economic demands of the young workers which it herewith submits to the great mass of the oppressed and exploited young proletariat and to the entire working class.

"The basis and aim of our program is the—

"Socialistic reorganization of juvenile labor.

"This means:

"Abolition of wage slavery for all young workers up to 18 years who must be cared for by the state and treated from an educational point of view until they have attained this age." (Pp. 48–49.)

CARRYING OUT ORDERS FROM MOSCOW

The United States section of the Young Communist International, the Young Workers' League of America, promptly responded to the Moscow call, held its second national convention in Chicago, May 20–22, 1923, and adopted the resolutions of the Moscow Executive Committee of the Young Communist International almost verbatim. These resolutions and demands are published officially by the Young Workers' League of America, 2517 Fullerton Avenue, Chicago, Ill., under the title "Resolutions and Theses of the Young Workers' League of America, 1923."

The first demand of the Young Workers' League of America is for the abolition of child labor, as follows:

"Demands of the Young Workers' League—

"1. Abolition of child labor." (Resolutions and Theses, Young Workers' League, p. 12.)

"The militant program of the Young Workers' League does not take account of the needs of the capitalist system, nor is it merely a means of eliminating the worst instances of the exploitation of the working-class youth. It must * * * proclaim the ultimate and fundamental aim of the young worker, *the complete transformation of the conditions of juvenile labor and its socialist reorganization.* This means *abolition of all wage slavery for all young workers up to 18 years of age. The young workers must be cared for by the state and treated from an educational point of view until they have attained this age.*" (Ibid. p. 12; italics theirs.)

Compare the above, by the Young Workers' League of America, with statements previously quoted from programs of the Young Communist International, pages 48–49, and note almost identical language.

The official "Resolutions and Theses of the Young Workers' League of America, 1923," also contain the following statements:

"Our work has always been communist" (p. 3).

"The main theses and resolutions adopted at the second convention are herein published. Every young communist must devote his or her utmost energy to the carrying out of these decisions. We feel that these decisions can be most effective weapons in our struggle against American capitalism" (p. 13).

"The aim of the Young Communist International is the aim of the Young Workers' League of America, the attainment of the communist society" (p. 7).

"Our youth, with all its enthusiasm, courage, and strength, must now go to raining blows against the capitalist class and its protector, the capitalist government. May these decisions of our second national convention serve as a guide to action in our battle for the goal of communism" (p. 4).

"The Young Workers' League can only win the confidence of the young workers and become their champion * * * by participating daily and persistently in all problems of the working-class youth" (p. 9).

"The Young Workers' League must therefore set up a working program containing the immediate vital demands of the working-class youth. Moreover, the Young Workers' League must take up the fight for these demands" (p. 9).

"The fundamental feature of the working-class youth in capitalist America * * * is that they are drawn into the process of production * * * under the system of wage slavery and are thus deliberately excluded from education. * * * In the United States over 2,000,000 children under 15 years of age are employed in mills, mines, factories, and in agriculture, industrial home work, and street trades. Child labor, due to the action of the United States Supreme Court in declaring unconstitutional two Federal child labor laws, is rapidly on the increase" (p. 9).

"In no other capitalist country in the world are children exploited as intensely as in the United States of America. The young agricultural workers are subject to particular exploitation" (p. 10).

"In no country in the world, except China, are children exploited as in the United States" (p. 29).

"Thus our activity in the economic field aims at showing the young workers that our economic struggle will become the starting point of revolutionary struggles on a large scale and that our demands—if they are realized—will aid in the disintegration and undermining of capitalism" (p. 13).

"We shall pass to large-scale action on the economic field and to campaign on a national scale for our demands, such as the abolition of child labor" (p. 15).

"* * * We must become a militant organization. * * * This would enable us continually to point out to the young workers the miserable conditions they are compelled to work under, such as long hours, low wages," etc. (p. 17).

"Our slogan is, Every member of the Young Workers' League an agitator" (p. 14).

The above excerpts from the official resolutions and theses of the Young Workers League of America prove how literally the orders of the Moscow executive committee of the Young Communist International are being carried out here in the United States.

The propaganda of discontent in the above Young Workers' League resolutions is deliberate, and stimulated by the Young Communist International, as demonstrated by the following statement published in the International Youth, official magazine of the Young Communist International, printed by Schoeneberg, Berlin, September, 1923, page 26:

"In the United States there is the child-labor problem. What a splendid opportunity for the league to show the children of the working class the wonderful country in which they live. What an opportunity to show them the real meaning of the 'land of the free' and 'home of the brave.' All these things, if exploited by the leagues and properly explained, would do more for the communist education of the children than all the talk of revolution."

CHILD LABOR AND EDUCATION CONNECTIONS

It will be observed that there are two parallel demands in the official program of the Young Communist International and of the Young Workers' League of America, its United States section:

1. The prohibition of child labor up to 18 years.
2. The education of all youth up to that age.

These are precisely the two parallel demands involved in the McCormick-Foster child labor amendment, prohibiting the labor of all youth to 18, and the Sterling-Reed Federal education bill, both advocated and promoted by the same interlocked American lobbies before Congress to-day.

The inclusion of agricultural workers, the campaign of discontent, the diatribes against the United States compared with foreign nations, in the resolutions of the Young Communist Workers are in absolute parallel with the campaign of the Federal Children's Bureau for the child labor amendment and similar to the propaganda against the United States compared with foreign nations, put out by the Children's Bureau on behalf of its maternity act in 1921. As every Senator has undoubtedly seen some of this "million children who slave" and "it is safer to be a mother in 17 foreign countries" propaganda, it is not cited specifically in this memorandum, as samples of this propaganda of discontent may be found in nearly all the literature and newspaper publicity put out for the pending child labor amendment, as well as in the old maternity act propaganda of 1921.

The Socialist national platform of 1908 contained also the following:

POLITICAL DEMANDS

"15. The enactment of further measures for general education and for the conservation of health. The Bureau of Education to be made a department." (Proceedings National Socialist Convention, 1908, p. 361.)

Nicolai Lenin himself stressed the importance of using teachers as an "apparatus" of propaganda:

"Hundreds of thousands of teachers constitute an apparatus that must push our work forward. * * * The communist active in the field of popular education must learn to understand to conduct this mass, which runs into hundreds of thousands." (Signed article by Nicolai Lenin in the Workers Dreadnought, May 23, 1921. The Workers Dreadnought was an English communist magazine subsidized by Lenin and edited by Sylvia Pankhurst, who was regarded by Lenin as "the foremost communist leader in Great Britain." Sylvia Pankhurst was convicted and sentenced to six months in prison in connection with publishing this subsidized organ for Lenin. See London Times, January 14, 1921, and Revolutionary Radicalism report, New York Legislature, p. 1605.)

WE MUST NATIONALIZE THE CHILDREN (LELINA)

Gregory Zinoviev, president of the Communist International, is also president and organizer of the Young Communist International, which has instructed the Young Workers' League of America to make "abolition of wage slavery for all young workers up to 18 years, who must be cared for by the state and treated from an educational point of view until they have reached this age," their first demand, as shown before.

Gregory Zinoviev's wife is Mme. Lelina, commissar of social welfare of the northern commune of Soviet Russia, or Petrograd.

In the official journal of the soviet commissariat of public education, No. 4, Mme. Lelina, wife of the president of the Communist International, declares:

"We must nationalize the children. We must remove the children from the pernicious influence of the family. We must register the children, or—let us speak plainly—we must national-

ize them. Thus they will from the very start remain under the beneficial influence of communist kindergartens and schools. Here they will grow up to be real communists. To compel the mother to surrender her child to us, to the soviet state, that is the practical task before us." (Volia Russii, February 16, 1921.)

What are the campaigns for the child labor amendment and the Federal education bills but attempts to "nationalize the children" of America, to remove them from what the propagandists regard as the "pernicious influence" of the States and the parents, and to compel their surrender to central radical bureaus at Washington?

COST OF ENFORCEMENT

What would be the cost of enforcement of a child labor amendment, covering in its powers Federal inspection and regulation of all industries, all farms, and all homes, and applying to all persons up to 18 years of age, or approximately half the total population, as the Children's Bureau already claims care of infancy, etc., under the acts of 1912 and 1921?

Obviously the cost of administration of such an amendment would be *any amount* that a great Federal bureau or department, with agents in every State and district, could extort by political pressure and propaganda from a majority of a quorum in Congress.

The Children's Bureau appropriation in 1912–13 was $30,000. Its apropriation for 1924 was $1,554,000, an increase of 5,000 per cent, or 50 times the amount which the originators of the Children's Bureau assured Congress before the bureau was established would be required yearly. (See hearings of 1909 and debate of 1912 on establishment of Children's Bureau.)

Miss Grace Abbott stated, regarding probable cost of administration, that the Children's Bureau had asked $164,000 appropriation for the first Federal child labor law and had received $125,000. (House hearings, 1924, p. 52.)

Under cross-examination Miss Abbott retorted:

> "I would hate to have any cost value put on what we were doing for the child. * * * If it did cost millions, I think it would be worth it." (House hearings, p. 53.)

The cost of this amendment can no more be calculated from that of the first Federal child labor law than the Children's Bureau appropriations for 1924 could have been estimated from those of 1912.

The first Federal child labor law applied only to goods shipped in interstate commerce, only to factories and mines, only to children under 14 in factories and under 16 in mines.

Moreover, many State officers were commissioned as Federal agents by the Secretary of Labor (see Administration of First Child Labor Law, p. 53), and in many of the States factory inspection, issuing certificates, etc., was all done by these State officers, acting as "dollar-a-year" Federal agents. That was obviously a temporary arrangement.

This amendment is entirely different from the previous Federal laws. It would be resisted by the people, both because of the unreasonable age limit and because of its inclusion of domestic and agricultural home work, which would require a house-to-house and farm-to-farm search.

UNDERGROUND OR "BOOTLEG" CHILD LABOR

Mrs. Florence Kelley, probably the greatest authority on inspection of industrial home work (sweatshop labor) said at the Women's Industrial Conference of 1923:

> "There is not money enough in the richest State to pay for inspection that would really guarantee so extensive an industry as home work is in Connecticut, New York, New Jersey, and Pennsylvania." (Proceedings, Women's Industrial Conference, Women's Bureau Bulletin No. 33, p. 50.)

Speaking of the distribution from New York of materials for industrial home work, Mrs. Kelley continued:

> "We might as well try to follow all the mosquitoes hatched in the New Jersey meadows as to follow the trucks and the parcel post in a line where the goods are that come from Manhattan." (Ibid., p. 53.)

Again, Mrs. Kelley admits:

> "I have lived in Illinois and I have lived in Pennsylvania and I have lived in New York—three great manufacturing States—and in none of them has the law at any time seemed to me to be what the Germans in the old days or the English at any time would call competent, efficient enforcement by the local officials. * * *
>
> "We spend immense amounts of money upon enforcement * * * it is all under the spoils system. There is no assurance that an honest and faithful inspector, who incurs the hostility of very powerful lawbreakers, will continue in office." (Senate hearings, 1923, p. 50.)

Mrs. Kelley also says:

> "We had hopes of regulation by inspection. * * * So far we have to register failure. No one can say that the people of the Eastern States have not made patient, long-continued efforts to control these conditions. More hundreds of thousands of dollars are squandered in each passing decade in sham inspection. This inspection can not be anything but sham, though by means of it the thoughtless public is lulled into a sense of security. Everywhere registration and inspection has, in the long run, failed." (Women's Industrial Conference, Women's Bureau Bulletin, No. 33, p. 50.)

Mrs. Kelley was speaking of inspection of industrial home work, or "sweatshop labor."

If "there is not money enough in the richest State," as Mrs. Kelley admits, to pay for efficient inspection of industrial home work under present State laws—enabling practically any child of 14 in America to get a permit to work openly in a factory—there would not be money enough in the entire United States to meet the tremendous cost of inspection when this amendment forces all youthful labor underground.

This amendment means millions for "sham inspection" by swarms of Federal agents who can not do anything but "register failure" on enforcement; but who, by invasions of the homes of the poor, will arouse hatred of the Government, enmity to the Constitution, and determination to evade and violate the law.

What poor widow, with two or three capable daughters under 18 that the Federal Government will not allow to work openly in factories, is going to lose her home or suffer want rather than take in work that can be done on a home sewing machine or knitting machine?

What farmer, with several husky boys from 14 to 18, and no hired hand, is going to lose his harvest—and thereby perhaps his farm—because a home inspector from the Children's Bureau at Washington tells him those boys can not help him until they are over 18 years old?

The people will no more obey or respect oppressive and unreasonable interference with their domestic affairs than the American colonists respected the "writs of assistance" and "stamp acts" of King George III.

INVASION OF THE HOME AND NULLIFICATION OF FOURTH AMENDMENT

This amendment means invasion of the homes of the poor and nullification of the fourth amendment.

The fourth article of our American Bill of Rights declares:

> "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated," etc.

This "right of castle" was "sacred for a thousand years before Magna Charta was signed in 1215," and was confirmed no less than 30 times by British Kings. (Speeches of Senators ASHURST, REED, and STANLEY, August 18 and September 23, 1921.)

Under this right, as William Pitt, Earl of Chatham, in his speech on the excise bill, declared:

> "The poorest man may, in his cottage, bid defiance to all the force of the Crown. It may be frail—the roof may shake; the wind may blow through it; the storms may enter; the rain may enter—but the King of England can not enter; all his forces may not cross the threshold of the ruined tenement."

The Supreme Court of the United States, in Boyd *v.* United States (116 U. S. 616), decided in 1886, thus describes American insistence on this right:

> "The practice had obtained in the Colonies of issuing writs of assistance to the revenue officers, empowering them, in their discretion, to search suspected places for smuggled goods, which James Otis pronounced 'the worst instrument of arbitrary power, the most destructive of English liberty and the fundamental principles of law, that ever was found in an English law book;' since they placed 'the liberty of every man in the hands of every petty officer.' * * * This was in February, 1761, in Boston, and the famous debate in which it occurred was perhaps the most prominent event which inaugurated the resistance of the Colonies to the oppressions of the mother country. 'Then and there,' said John Adams, 'then and there was the first scene of the first act of opposition to the arbitrary claims of Great Britain. Then and there the child Independence was born.'
>
> "* * * Every American statesman, during our revolutionary and formative period as a Nation, was undoubtedly familiar with this monument of English freedom, and considered it as the true and ultimate expression of constitutional law.
>
> "* * * The principles laid down in this opinion affect the very essence of constitutional liberty and security. * * * They apply to all invasions on the part of the Government and its employees of the sanctity of a man's home and the privacies of life. It is not the breaking down of his doors and the rummaging of his drawers that constitutes the essence of the offense, but it is the invasion of his indefeasible right of personal security, personal liberty, and private property."

Although this "right of castle" has existed for nearly 2,000 years; although the cotter's hut can not be entered by all the forces of a British King, and the American home can not be invaded by either

President or Congress, it is now constantly "investigated" by "social welfare" workers, who interpret every "child welfare" measure or education bill as a "writ of assistance" to place the care of every child under control of petty bureaucrats.

This "right of castle" is really the poor man's protection. It would be more accurate to call it the "right of cottage," for the castle can always take care of itself. Butlers and footmen protect the homes of the rich.

American housewives have already been threatened and American homes invaded without warrant of law under pretext of "child welfare" campaigns.

Miss Julia C. Lathrop, former Chief of the Children's Bureau, in a signed pamphlet issued by the bureau, entitled "Income and Infant Mortality," declares:

> "Women agents of the bureau called upon each mother. * * * While it was plainly necessary to accept the mother's statement with reference to matters directly pertaining to the daily life of the family, it was thought that she might not always know about her husband's income and that other sources of information might be more important. * * * Pay rolls were consulted and employers and the fathers themselves were interviewed."

Douglas L. Edmonds, attorney, of Los Angeles, testifying on behalf of the Public School Protective Leagues of California, Oregon, and Washington before the House Committee on Education (H. R. 12652), January 12, 1921, declared:

> "Some two or three years ago the Children's Bureau undertook a campaign for the weighing and measuring of children, at least under 6 years of age. There was no legal authority for that; that is, it was not undertaken in pursuance of anything except the general authority of the bureau. Yet I know that in my own State the most extravagant claims were made in the course of that campaign. People who went out to secure the examination of these children threatened individual parents with arrest if they failed to comply."

Mrs. A. M. McManamy, of Oregon, at the maternity act hearing, Senate Committee on Education and Labor, April 27, 1921, testified that one of these baby inspectors actually pushed by her when told at the door that the baby was perfectly healthy and having its bath, saying:

> "Well, I must come in and see the baby and see that it is perfectly healthy, and I must be admitted."

Such invasions of the homes of the people and investigations of fathers' incomes, employers' pay rolls, etc., have been made not only without any color of lawful authority but in open defiance or cunning evasion both of the fourth amendment and of the statute creating the Children's Bureau, which prohibits such invasions by its agents.

What inquisitorial invasions of the home may be expected under cover of a new Federal amendment applying to all places where "children often work with their parents and are not on the pay roll" can be estimated only by what has already been done with no authority whatever.

CLAIM CHILD BELONGS TO PUBLIC

Professional child welfarers, although experts on what Judge Ben Lindsey calls "the conception of government as an overparent," seem to have no conception whatever of what the Supreme Court, in Boyd *v.* United States, calls "the sanctity of a man's home and the privacies of life."

For example, Dr. Richard A. Bolt, general director American Child Hygiene Association, has said:

> "The very fact that the schools are public and that the child must conform to certain rules and regulations and laws that compel the proper treatment of the child all show that the child is not private property to be controlled and treated at the will of the parent but public, belonging to the public and must be brought up for the good of society." (Quoted by Dr. L. Edmonds, physical education bill hearing, January 12, 1921, p. 18.)

Mr. Edmonds, in answer to the above statement, declared that the principle of the Public School Protective Leagues of California, Oregon, and Washington was:

> "It is the school that is public—not the child."

He added:

> "Are we ready to abandon all of our citizenship in favor of the pernicious doctrine that the citizen is the ward of the State? Such a conception is not only unworthy of our times but goes back to the Spartan régime, under which the child at birth was examined by the ruling elders to determine whether or not it was fit to be reared and at the age of 7 taken over by the State."

A doctrine even more obnoxious has been circulated in a public document issued by the Children's Bureau under a frank certifying that it is "official business."

COMPULSORY REGISTRATION OF EXPECTANT MOTHERS

In Standards of Child Welfare, Children's Bureau Publication No. 60, a 460-page book issued by the Children's Bureau as the approved report of its conferences, May and June, 1919, at which "Minimum standards of child welfare" for the United States were drawn up in conference with a number of foreigners, including a Japanese, the first standards that appear under Section III, entitled "The health of children and mothers (p. 145), are:

"STANDARD REQUIREMENTS FOR OBSTETRICAL CARE"

Under this standard the professor who covered this subject for the Children's Bureau (and whose doctrine has been circulated by the Children's Bureau at public expense, without a word of modification) declared:

> "I take it that the first step in such a campaign of education for the improvement of obstetrical conditions must consist in the compulsory registration of pregnancy, through the local health officer. In this event, it will be possible for every pregnant woman throughout the entire country to be supplied gratis with certain of the publications of the Children's Bureau." (Standards of Child Welfare, Children's Bureau Publication No. 60, p. 146.)

Think of the compulsory registration of expectant mothers—an invasion of the privacies of life that would have shocked George III himself.

What distinguishes the above human stock-farm proposition from the following socialist doctrine of Frederich Engels:

> "The private household changes to a social industry. The care and education of children becomes a public matter. Society cares equally well for all children, legal or illegal." (Origin of the Family, by Frederich Engels, p. 91.)

Even in socialist literature, even in the writing of Alexandra Kollontay or Mme. Lelina, even in Soviet Russia's worst communist codes we have not been able to find a doctrine such as this one that the Children's Bureau has been circulating for nearly five years at public expense—compulsory registration of expectant mothers as a standard of child welfare.

CHILDREN'S BUREAU STANDARDS INDORSED BY LEAGUE OF WOMEN VOTERS

That the Children's Bureau "Standards of child welfare" have been indorsed by the National League of Women Voters, one of the chief organizations supporting this amendment, is proved by the official booklet issued by the national headquarters of the National League of Women Voters entitled:

> "Plan of work and program of the National League of Women Voters, adopted in convention at Des Moines, Iowa, April, 1923.
>
> "CHILD WELFARE
>
> "Standards recommended, all or any part of which may be made active at any time:
>
> "I. Adequate appropriations for the Federal Children's Bureau.
>
> * * *
>
> "IV. Study of other minimum standards of child welfare adopted by the Children's Bureau in 1919 and indorsement of these standards as a guide in formulating and administering legislation." (Page 8.)

"INTERNATIONAL STANDARDS" TO BE MODEL FOR AMERICA

Not only are the "minimum standards" drawn up by the Children's Bureau, with the assistance of numerous foreign social workers, to serve "as a guide in formulating and administering legislation," however.

Miss Grace Abbott, in a signed article in the radical New Majority of September 1, 1923, and in the New York Call (Socialist), September 23, 1923 (being Miss Abbott's Labor Day plea for this amendment), declares:

> "A large part of the civilized world has adopted not only a national standard but an international standard with reference to the employment of children. The most important nations of Europe have joined in the child-labor conventions drafted at the International Labor Conference (of the League of Nations). * * *
>
> "Ought it not to be possible for Congress to say that in no section of this country will children be allowed to work below standards now established by international agreement among many nations?"

Miss Abbott was unofficial American observer on the Commission on International Traffic in Women and Children of the League of Nations last year. (Woman Citizen, August 25, 1923, p. 18.)

A dispatch from Geneva to the New York Times, March 16, 1924, reports:

> "Henceforth the children of the world will be under the protection of the League of Nations. * * * The council of the league, with the consent of the interested parties, has authorized the concentration of all child-welfare activities here. A special department will be created by the league to handle all matters concerning the protection of children."

In 1920 it was asserted that the League of Nations would guarantee "the political independence and territorial integrity" of every member nation; that there would be no interference in domestic and local affairs.

What would become of these solemn guaranties if the right of a boy to help milk his father's cows on a North Dakota farm is to be governed by "international standards" framed by "interested parties" (salaried bureaucrats) at Geneva?

CENTRALISM AND BUREAUCRACY AS FACTORS IN REVOLUTION

Bureaucracy was a factor in the American Revolution in 1776, and Communists count on it to operate similarly to-day.

One of the indictments of George III in our Declaration of Independence was:

> "He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance."

The communists now contend:

> "The American Government * * * has grown into a mammoth monster of centralization, similar to that of the old European governments. * * * A centralized government, which interferes in the daily affairs of the working class, is the basic condition * * * the fundamental condition for the formation of a nation-wide political mass party—the birth of a (communist) labor party." ("For a Labor Party," issued by Communist Workers' Party of America, p. 22.)

The above official communist campaign handbook was issued in October, 1922, as an explanation of why the communists considered the time ripe to emerge into the open and establish a radical third party.

This communist handbook explains that former third-party movements had failed, because:

> "There has never been in this country a centralized government power as they understand it in Europe. The United States has never been such a centralized country * * * as Germany, England, or France. The 48 States, * * * according to the original Constitution, are separate sovereignties. * * * The administration of public business, the greater part of the judiciary, the police, the militia, the educational work, the major part of legislation, remained in the hands of the separate States. * * *
>
> "The American labor movement could not organize a political struggle on a national scale against the central Government for securing political power as the workers of Europe do. They could not do so, because there has been no permanent centralized government in the United States." (Ibid., pp. 17–22.)

The present development of bureaucracy, which the revolutionists count upon to help them form a third party, is described in this communist handbook as follows:

> "By means of the World War the centralized government acquired power unequaled, either in the War of Independence or the Civil War. * * * More and more departments of activity came under the control of the National Government. * * * Not only has the number of employees grown but also the composition of this army of employees has greatly changed. The number of those subject to civil-service examinations has steadily grown. The number of civil-service employees in 1884 was 13,780. * * * At the peak of the war, in 1918, the number increased to 917,760.
>
> "This government-examined corps of employees, not affected by changes of administration, and which is constantly growing, has become a government bureaucracy in the European sense of the word." (Ibid., p. 21.)

In short, American communists themselves admit that it is impossible to promote revolution in this country unless the rights of the States are destroyed, and a centralized bureaucracy, under an intrenched caste of bureaucrats similar to those of Europe, gives communists the "basic condition" for revolution.

> "The attitude of the Communist Congress toward democracy is especially interesting. Beginning with Lenin's first speech, running through the following debates, and much of the newspaper comment is an obvious fear of democracy. * * * They recognize very clearly that their real enemy, against which they must marshal their most formidable attack, is that spirit of democracy to which this Nation is dedicated." (State Department memorandum, Second Congress of the Communist International, October 25, 1920, p. 5.)

AMERICAN BUREAUCRACY NOT PRUSSIANISM

American centralism and bureaucracy is frequently called "Prussianism." They are as far apart as the poles.

Nothing could be less like the system of expert central control and direction of prewar Prussia, every department of its huge overhead in charge of scientific specialists indoctrinating the German nation in the policy of their Government, than the uncontrolled, undisciplined, unsupervised activities of a Washington Federal bureau in charge of settlement-house workers disseminating any propaganda they please—socialism, pacifism, or what not—and operating as a political machine in defiance of civil-service rules, with lobbies in Congress and State legislatures for the promotion of the bureau's interest.

Bureaucracy is an integral part of autocracy—its mechanism, or "apparatus," as communists call it, for mental and political direction of its subjects, to carry out its purpose of a unified citizenry in a common mold.

On the other hand, bureaucracy is hostile to every purpose of American democracy, based on free individualism and local self-government.

A democratic bureaucracy is a contradition in terms.

At best, it is a system of spoils and graft. At worst, it is a nucleus of revolution.

Bureaucracy can never in the nature of things be a coordinate part of the body politic of a democracy, but must always be a malevolent growth, a cancer fatal to a republic.

That American bureaucracy, when it regulates the domestic affairs of the people, is worse than Prussianism was pointed out by the late President Harding:

> "I am inclined to think that as between a bureaucracy of a military power which paid little attention to the regulation of domestic affairs and a bureaucracy of social rules and regulations the latter would oppress the soul of a country more." (Warren G. Harding, speech of October 1, 1920.)

HOUSE-TO-HOUSE PROPAGANDA

House-to-house and farm-to-farm searches for youthful workers would also furnish an opportunity for propaganda of any kind and for political pressure upon Congress to increase the bureau's appropriations.

The communists themselves declare:

> "It was necessary to create a special technical mechanism for work among women. * * * The most difficult task is that of getting at the housewives. * * * The petty bourgeois psychology of the peasant woman, her ignorance, her dependence on her husband and her family, all these are obstacles which must be overcome. * * * The work in the village among the female farmers and women workers * * * plays a great part in revolutionary work. (Soviet Russia, New York Communist Magazine, March 26, 1921, p. 307.)

One of the secret communist documents captured at Bridgman, Mich., was Instructions on Organizing Women in America, in part as follows:

> "Contacts must be established at all maternity and infant welfare centers. In this connection it is recommended that communist women should be trained for first aid and home nursing. This training should serve the useful purpose of enabling our members to gain the confidence of larger and larger circles of women by practical assistance in time of need." (Portland Press-Herald, January 30, 1923.)

The "special technical mechanism" for getting at the housewives in this country, which was supplied in part by the Sheppard-Towner Maternity Act, will be completed if this amendment is adopted.

At its best, nation-wide propaganda will be carried on under this amendment for increased appropriations. While the burdened taxpayer is at work trying to earn a living for his family the busy bureaucrat will be at his back door begging his wife to write or telegraph Congressmen demanding the adoption of some bill to further increase his taxes.

At its worst, propaganda can be carried on under this amendment to secure "maternity benefits," doles for children, "wages for mothers"—in short, to promote any form of socialism, communism, or pacifism.

In any event, the enforcement machinery for this amendment would be the greatest engine of propaganda any Federal bureau has ever had, and it can not be overlooked that the former exhibit expert of the Federal Children's Bureau has spent the last three years at Moscow and has become the greatest American eulogist and propagandist for the soviet system glorifying Nicolai Lenin as "The greatest man of our time."

Respectfully submitted.

THE WOMAN PATRIOT PUBLISHING CO.,
By MARY G. KILBRETH, *President*.

[NOTE.—Attention of Senators is respectfully invited to the self-evident hypocrisy of many newspapers employing boys between 8 and 14 at early hours in the morning and late at night to sell papers in every sort of weather, while publishing propaganda news articles and editorials in favor of a child-labor amendment under which the farmers' 17-year-old sons and daughters may be prohibited from doing chores, etc.]

APPENDIX

OWEN LOVEJOY'S LETTER TO EUGENE V. DEBS

Owen R. Lovejoy, socialist, general secretary of the National Child Labor Committee since 1907, wrote a letter to Eugene V. Debs immediately after Deb's conviction for obstructing the draft had been upheld by the Supreme Court of the United States, published in the New York Call, socialist organ, March 13, 1919, editorial page, under the title "Good night, comrade, and good morning," with the following editorial introduction:

"This letter was sent by Owen R. Lovejoy, one of the world's greatest fighters against the iniquity of child labor, to Eugene Victor Debs. We are proud of the privilege of printing it."

Extracts from Lovejoy's letter follow:

"You are the first of my own personal friends to be put behind the bars of a penitentiary. Your going fills me with a new strange emotion, and I can not see how you can be so calm about it; * * * to realize that those larger multitudes who have thronged to hear your charming message of human freedom and just government are to hear your voice no more; that while we whose natures are less ardent, whose sense of duty is less keen, whose vision is less clear, whose hearts are not so warm and tender, and whose love of God is less intense—to think that we are to be at liberty while you are confined, that we may speak while you are silent, that we may enjoy sunshine and flowers and the contact of friends while you are bound within the narrow dungeon walls. What outrage cloaked in legal technicalities could prove so clearly the bankruptcy of the present social order?

"* * * You have openly defied the law of the jungle and brazenly conducted a vendetta of universal brotherhood. * * * You came to earth too soon. We aren't ready for you yet. You are as premature as Lincoln was, or Huss, or Wickliffe, or Jesus. Well might you say as you pass us in the shadows of your Gethsemane, 'Sleep on now and take your rest; behold the hour is at hand.'

"* * * We shall awaken by and by. Henceforth liberty will seem less precious to us, now that you may not share it. Prison walls will partake of the glow of the walls of the Holy City, now that we know your radiant soul is within. Thousands of little children who to-day shrink from a 'convict' as an unclean thing will begin to look deeper into his face to discover whether, after all, he may not be a Savior, wearing the robes of derision and crowned with thorns. I am pouring out only the poor tribute of my personal love in this letter, yet I believe I voice the thought of many thousands to whom you have been a help and inspiration in turning your own beautiful words back upon yourself—that while you are of the lower class, we also are of it; while you are branded a criminal, we also are criminals; while you are in prison, we are not free.

"Good night, comrade, and good morning.

"OWEN R. LOVEJOY."

WORLD COURT

Mr. SWANSON. I desire to sumbit the views of the minority members of the Committee on Foreign Relations upon Senate Resolution 234, commonly known as the Pepper plan for creating a permanent court of international justice.

The PRESIDENT pro tempore. The views of the minority will be printed. (Rept. No. 634, pt. 2.)

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 8687) to authorize alterations to certain naval vessels and to provide for the construction of additional vessels, reported it without amendment and submitted a report (No. 664) thereon.

Mr. LODGE, from the same committee, to which was referred the bill (S. 1187) to commission Capt. William Rees Rush as a rear admiral on the retired list of the Navy, reported it without amendment and submitted a report (No. 665) thereon.

Mr. PEPPER, from the Committee on Banking and Currency, submitted a report (No. 666) to accompany the bill (S. 3316) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes, heretofore reported by him from that committee.

Mr. HARRELD, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 369) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913 (Rept. No. 667);

A bill (S. 875) to provide for the reservation of certain land in Utah as a school site for Ute Indians (Rept. No. 668);

A bill (S. 876) to provide for the disposition of bonuses, rentals, and royalties received under the provisions of the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, from unallotted lands in Executive order Indian reservations, and for other purposes (Rept. No. 669);

A bill (S. 877) to provide for exchanges of Government and privately owned lands in the Walapai Indian Reservation, Ariz. (Rept. No. 670); and

A bill (S. 879) providing for the reservation of certain lands in Utah for certain bands of Paiute Indians (Rept. No. 671).

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 3416) to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army, reported it without amendment and submitted a report (No. 672) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7269) to authorize and direct the Secretary of War to transfer certain materials, machinery, and equipment to the Department of Agriculture, reported it with amendments and submitted a report (No. 675) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2950) to define and determine the character of the service represented by the honorable discharge issued to John McNickle, of Company L, Seventh Regiment New York Volunteer Heavy Artillery, under date of September 27, 1865 (Rept. No. 676); and

A bill (S. 3408) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918, and for other purposes (Rept. No. 677).

Mr. BURSUM, from the Committee on Military Affairs, to which was referred the bill (S. 1543) for the relief of George E. Harpham, reported it without amendment and submitted a report (No. 673) thereon.

Mr. SWANSON, from the Commiitee on Naval Affairs, to which was referred the bill (S. 747) for the relief of Joseph F. Becker, reported it with an amendment and submitted a report (No. 674) thereon.

Mr. CAMERON, from the Committee on Irrigation and Reclamation, reported an amendment proposing to appropriate $200,000 for operation and maintenance and completion of construction of the irrigation system on the Yuma irrigation project, Arizona, required to furnish water to all of the irrigable lands in part 1 of the Mesa division, otherwise known as the first Mesa unit of the Yuma auxiliary project, authorized by law, etc., intended to be proposed to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WARREN, from the Committee on Appropriations, to which was referred the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, reported it with amendments and submitted a report (No. 663) thereon.

ENROLLED BILL PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on May 29, 1924, that committee presented to the President of the United States the enrolled bill (S. 2169) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

PRINTING OF CODE OF LAWS FOR THE DISTRICT

Mr. MOSES, from the Committee on Printing, reported a concurrent resolution (S. Con. Res. 12), which was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the laws relating to the District of Columbia and the laws of former municipal governments in said District, as recompiled, indexed, and annotated in codified form up to and including March 4, 1923, under authority of a Senate resolution of January 3, 1924, be printed as a Senate document and that 500 additional copies be printed and bound for the use of the Senate, and 1,000 copies for the use of the House of Representatives.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 3422) to extend the provisions of the civil service act to the Prohibition Enforcement Service and to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department and to define its powers and duties; to the Committee on the Judiciary.

By Mr. SHEPPARD:

A bill (S. 3423) to establish a landschaft system of rural credit in the United States; to the Committee on Agriculture and Forestry.

By Mr. FERRIS:

A bill (S. 3424) to change the title of the Bureau of Naturalization, Department of Labor, and increase the scope of its activities, and for other purposes; to the Committee on Immigration.

By Mr. JONES of Washington:

A bill (S. 3425) to amend section 4426 of the Revised Statutes of the United States, as amended by the act of Congress approved May 16, 1906; to the Committee on Commerce.

By Mr. COLT:

A bill (S. 3426) granting an increase of pension to Lucie A. Hicks (with an accompanying paper); to the Committee on Pensions.

By Mr. McCORMICK:

A bill (S. 3427) for the relief of Mildred Lane (with accompanying papers); to the Committee on Claims.

By Mr. STANLEY:

A bill (S. 3428) authorizing the construction of a bridge across the Ohio River to connect the city of Portsmouth, Ohio, and the village of Fullerton, Ky.; to the Committee on Commerce.

By Mr. SHEPPARD:

A joint resolution (S. J. Res. 134) authorizing a survey and examination of the Rio Grande border of the United States to determine the advisability of constructing a highway for military or other Government purposes either along the entire Rio Grande border or certain sections thereof; to the Committee on Military Affairs.

By Mr. PEPPER:

A joint resolution (S. J. Res. 135) granting permission to the Roosevelt Memorial Association to procure plans and designs for a memorial to Theodore Roosevelt; to the Committee on the Library.

REGULATION OF CHILD LABOR

Mr. FLETCHER submitted two amendments intended to be proposed by him to the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States, which were ordered to lie on the table and to be printed.

CORRECTION OF ERROR IN SENATE BILL 381

Mr. LADD. I submit a concurrent resolution and ask unanimous consent for its present consideration. I may say that it is simply to correct an error in the engrossment of a bill. There was an error on the part of the conferees in not striking out a portion of a line.

The concurrent resolution (S. Con. Res. 13) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill S. 381 to amend section 2 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (39 Stat. L. p. 862), to strike out on page 2, in lines 21, 22, and 23 of the engrossed copy of the bill, the words "after application for designation under this act, the applicant establishes and maintains residence on the land" and insert in lieu thereof a semicolon and the word "and."

PROPOSED BUREAU OF MANUFACTURES

Mr. SHEPPARD submitted the following resolution (S. Res. 243), which was referred to the Committee on Manufactures:

Whereas the further development of manufacturing processes is one of the most important and powerful means of increasing the Nation's efficiency, wealth, and prosperity; and

Whereas the distribution of knowledge among the people as to the practicability of conducting manufacturing processes, both with and without machinery, on the cooperative plan and otherwise, will open up new channels of popular occupation and achievement; and

Whereas the adaptation of modern machinery to small factories in rural districts, villages, and small towns will open up avenues of economic independence of incomparable value to the people; and

Whereas the farm is itself a factory, and its higher profits and possibilities will be unrealized until its processes are carried to the finished state as nearly as practicable within its own limits, or as near thereto as practicable; and

Whereas the conversion of raw materials into finished products should be effected as near the place of production as may be consistent with access to markets for finished products: Now, therefore, be it

Resolved, That the Committee on Manufactures is hereby requested to investigate the practicability of establishing a Bureau of Manufactures at the seat of government for the purpose of studying manufacture in all its forms and diffusing information relating thereto among the people of the United States.

The said committee is hereby authorized and directed to report to Congress the result of its investigation during the present Congress; and if the committee finds such a bureau desirable, to submit a plan and bill to Congress therefor.

COMMERCIAL PACIFIC CABLE CO.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 709) for the relief of the Commercial Pacific Cable Co., which was, on page 1, line 13, to strike out "$30,490.38" and to insert "$26,490.38."

Mr. WADSWORTH. I move that the Senate concur in the House amendment.

Mr. ROBINSON. I understand the amendment diminishes the amount.

Mr. WADSWORTH. That is the only effect of the amendment.

The motion was agreed to.

F. A. MARON

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 799) for the relief of F. A. Maron, which was, on page 1, line 6, to strike out "$3,000" and to insert in lieu thereof "$1,500."

Mr. LODGE. I move that the Senate concur in the amendment of the House. I was requested to make this motion by the Senator from Minnesota [Mr. SHIPSTEAD], who had the bill in charge.

The motion was agreed to.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on May 31, 1924, the President had approved and signed acts and a joint resolution of the following titles:

S. 2431. An act conveying to the State of Delaware certain land in the county of Sussex, in that State;

S. 2450. An act to amend section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894; and

S. J. Res. 105. Joint resolution authorizing the President to detail an officer of the Corps of Engineers as Director of the Bureau of Engraving and Printing, and for other purposes.

PROHIBITION AND CIVIL SERVICE LAWS

Mr. SHIELDS. Mr. President, some time ago I made an address in the Senate on the subject of prohibition and the civil service laws, which I have corrected, and I ask that it be reprinted in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. SHIELD'S corrected speech is as follows:

SPEECH OF HON. JOHN K. SHIELDS, FEBRUARY 17, 1923

On the bill (S. 3247) to transfer to the classified service agents and inspectors in the field service, including general prohibition agents and field supervisors appointed and employed pursuant to the national prohibition act, and for other purposes

Mr. SHIELDS. Mr. President, there is a bill upon the calendar of the Senate—No. 927, S. 3247—entitled "A bill to transfer to the classified service agents and inspectors in the field service, including prohibition agents and field inspectors appointed and employed pursuant to the national prohibition act, and for other purposes," which I believe concerns legislation of great importance and ought to be enacted into law as soon as possible. The public interest and the proper and efficient enforcement of the Federal prohibition laws require that the agents and employees engaged in this service should be placed under the civil service law and subject to its provisions and regulations. These employees were by section 38 of the Volstead law expressly excepted from the civil service law because that was claimed

to be a war or emergency act, but with the understanding and expectation, as I am informed, that after the eighteenth amendment to the Constitution, known as the prohibition amendment, should become effective, they would be covered into the classified service as other employees of the Federal Government, but in the supplemental Volstead law thereafter passed it was not done, and they yet remain open to political influences under the demoralizing spoils system.

The propriety of placing these employees under the civil service law is recognized by the public, and especially by the good men and women throughout the country who favored prohibition as a great moral and economic reform and wish to see the laws for its enforcement executed justly and efficiently and in a manner to obtain and maintain the respect of the people. These men and women favored and worked for prohibition because they believed that it would advance the material interest and promote the prosperity of the people and remove a great cause of distress, suffering, depravity, and crime, without pay or compensation for their time and services. The necessity of placing these employees under the civil service law has been called to my attention by a number of these faithful workers, and I have been asked to urge upon Congress proper legislation for that purpose. Some time since I received a letter upon the subject from the president of the Tennessee Woman's Christian Temperance Union, Mrs. Minnie Alison Welch, of Sparta, Tenn., one of the most devoted women of my State, which so well states the merits of this legislation that I can not do better than read it:

Hon. JOHN K. SHIELDS,
Washington, D. C.

MY DEAR SIR: We notice that Senator STERLING'S civil service bill (S. 3247) has been reported favorably to the Senate. We believe that this is the best remedy we can procure for the enforcement of the eighteenth amendment and Volstead law. While it may not eliminate all the bad elements that have gotten in, time will eliminate them, and this bill will afford us a better opportunity for getting more efficient prohibition agents.

We are hoping that you will see fit to use your influence and vote for this bill. The public welfare demands it and white-ribboned women of our State and many other good women are hoping that you will stand for the measure.

Thanking you for your interest in the same for prohibition, I beg to remain,

Cordially yours, MINNIE ALISON WELCH,
State President.

Mr. President, there is no class of Federal employees which the public interest demands should be under the classified service more than those whose duty it is to enforce the prohibition laws. They come closer to the people, their persons, their effects, and their homes than any other class of employees. They perform duties which bear directly upon a great change in the habits, usages, and customs of the people in their private life resulting from the enactment of the Volstead law and which closely and intimately affect the great and sacred rights of personal liberty, private property, and the sanctity of home. None but the best, most intelligent, and law-abiding men should be intrusted with such duties. Every precaution for the protection of the people from oppression and maltreatment should be taken and go hand in hand with proper measures for the efficient and just enforcement of these laws. We know by common report that when the Volstead law was passed that there was appointed some prohibition officers in perhaps every State who misconstrued their power and duties and enforced the law in an oppressive, rude, and offensive way, without search warrants or evidence that would justify the issuance of a search warrant, searching the persons of men and even of women and of the effects and houses of the people, and assaulting them on the highways in a most outrageous manner. Some of them have been charged with accepting bribes from bootleggers, brutal assault, and murder, and some of them indicted for these offenses, but I know nothing of the facts and will not attempt to state them. Generally speaking, these practices have been abandoned and forbidden, but occasionally we still hear of cases of this kind. There is no question but what the conduct of these officers aroused opposition to the enforcement of the law and generated disrespect for it which otherwise would not have existed. Proper examination by the Civil Service Commission of applicants for this service and an ascertainment of their character, their intelligence and prudence, as well as of their efficiency and courage, will be of inestimable benefit and protection to the people in their dearest rights as well as contribute to the thorough and efficient enforcement of the law.

Mr. President, that the Federal Government is meeting with considerable difficulty in enforcing the laws enacted by Congress for the execution of the prohibition amendment can not be denied. The President of the United States recently called together the governors of the States and asked their aid and cooperation in suppressing the manufacture and sale of intoxicating liquors for beverage purposes. When the Chief Executive hangs out a signal of distress of this kind we must know the situation is real and serious. The cause or causes creating these conditions must be ascertained and examined and removed, which I think can be done. While it may take some time, yet I have confidence in the supremacy of the Government, the ability and integrity of the courts, and the efficiency of law officers. If we find that a law made to enforce the Constitution of our country is not effective, it should be amended, but we should never run up the white flag or surrender to lawlessness. Every provision of our Constitution must and shall be enforced reasonably and justly and consistent with every other provision of that great instrument.

I wish to discuss briefly some of the causes which, I think, have brought about and encouraged this lawlessness and the disrespect which it must be conceded exists for the Federal laws for the enforcement of the eighteenth amendment and many of the officers and employees engaged in that service.

Mr. President, the eighteenth amendment to our Constitution, ratified by the States January 28, 1919, ordained that after one year from the ratification of that article the manufacture, importation, transportation, or sale of intoxicating liquors within the United States for beverage purposes, be prohibited.

When the amendment was proposed it seemed to meet with the approbation of a majority of the people of the United States, and it was promptly ratified by the States. Public sentiment favored it. It was the result of long and patient labor and education of the churches of all denominations and such philanthropic and beneficent organizations as the Anti-Saloon League, the Young Men's Christian Association, the Woman's Christian Temperance Union, and others, and of the Federal and State Governments, the great railway and other corporations employing thousands of men and women, and the manufacturers and other business men, demanding for the protection of the public and their own interest that their employees be sober and free from the vice of drunkenness. All these influences, religious, moral, and business, combined in demanding sobriety, temperance, industry, and efficiency, and their united efforts were irresistible and resulted in the eighteenth amendment.

I do not controvert the fact that there was a respectable minority of the people opposed to the amendment and that there are some who are still opposed to it and would have it abrogated, but abrogation is a vain hope, and their efforts will not succeed. The amendment is in the Constitution, a part of our supreme law, supported by the expressed will of a majority of the people of the United States, and it is there to remain permanently. I voted for the amendment, and I can conceive of no conditions under which I would vote for its abrogation.

Although the amendment, which conferred upon Congress the power of controlling the manufacture and sale of intoxicating liquors for beverage purposes, provided on its face that it should not be effective for one year from its ratification by the States, within that year overzealous persons, not willing to abide by the provisions of the constitutional amendment they had aided to make a part of the fundamental law of the land, before the expiration of that year pressed through Congress the Volstead law, precipitating prohibition suddenly and prematurely upon the country.

The time when the amendment should take effect was deferred to allow the people to prepare themselves to conform to the great change made in their habits and to permit those who had been theretofore engaged in the manufacture and sale of intoxicating liquors for beverage purposes legitimately and under the protection of Federal laws to arrange their business so that as little loss as possible might fall upon them and those to whom they were indebted, a practice that had been pursued in the prohibition laws in practically all of the States and which was deemed reasonable and just.

This provision was disregarded; the Volstead law was passed before the amendment became effective, under the pretense that it was a war measure and came within the extraordinary war powers of Congress, although the armistice had been signed nearly a year before and our Army, with the exception of a few thousand men in prohibition territory, had been demoralized and peace reigned throughout the land.

President Wilson vetoed the Volstead law, and I voted to sustain his veto, but the Congress passed it over the President's objections.

The President in his veto message said, "I object to and can not approve that part of this legislation with reference to wartime prohibition.

* * * * * * *

In all matters having to do with the personal habits and customs of large numbers of our people we must be certain that the established processes of legal change are followed. In no other way can the salutary object sought to be accomplished by great reforms of this character be made satisfactory and permanent."

* * * * * * *

After the constitutional amendment became effective a further prohibition law was passed by the Senate, with an amendment offered by Senator STANLEY to protect persons, their effects, papers, and houses from unreasonable searches, as provided by the fourth amendment to the Constitution, which was accepted by the Senate. The conferees

modified the Stanley amendment so as to practically destroy it, in my opinion, and for this reason I spoke and voted against the conference report. I regret that the notes of my speech were mislaid and that the speech failed to reach the RECORD, as it stated clearly my objections to this law on constitutional grounds.

I had voted for the law prohibiting the sale of liquor in the District of Columbia, the eighteenth amendment, known as the prohibition amendment, and had supported all of the numerous laws passed under the war powers during the pendeny of the war to prohibit the sale of intoxicating beverages to soldiers and sailors, and my objections to the Volstead law were those stated by the President in his veto of the same and to the latter law upon the constitutional grounds just stated.

I have always favored proper laws for the execution of the eighteenth amendment, and believe in its enforcement, as I do in all other laws. This is consistent with my course as a citizen and a public official in Tennessee, as I had, previous to coming to the United States Senate, favored and enforced the prohibition laws of my State.

Mr. President, it is impossible arbitrarily to legislate morality or religion into men and women, especially those of a free and independent people like Americans. You can not change the habits, the passions of men overnight by man-made law. It has been tried in all ages, and while in some instances outward conformance has been achieved, yet inwardly there was no change in those sought to be controlled. God alone can effect such changes in man. It must be done by patient labor, education, example, and appeals to the higher and nobler impulses of men and women, their love of humanity and justice, their patriotism, and, finally, by their love and fear of their God. Bishop Woodstock, in a splendid address delivered some weeks ago, spoke upon this subject as follows:

> "We can not regulate a world spiritually nor reform it morally by law and compulsion. What the world now most sorely needs is not reformers but spiritual leaders, not regulation but moral and spiritual redemption. This redemption never has been promoted on a political basis only. It must be supported on a higher basis to give it motive and inspiration."

I also have an editorial from the Journal and Tribune, of Knoxville, written by its able and venerable editor, who has for 50 years fought for the cause of prohibition in Tennessee and aided much to crown that struggle with splendid success both in the law enacted by the general assembly of the State and its enforcement by the constituted authorities intrusted with its administration, suggested by a statement in the inaugural address of Gov. Austin Peay, the present distinguished executive of my State, which I will read:

> "THE PURPOSE OF MAN-MADE LAWS
>
> "In his inaugural address delivered Tuesday, Governor Peay, addressing the membership of the State general assembly, gave utterance to these sentences:
>
> "'I beg its membership to studiously refrain from the consideration of moral, social, temperance, or other legislation of distracting character until the ways and means have been found and effected to restore sound and orderly government in this State. The statute books are now filled with laws on those subjects which are not being enforced, and merely to impose penalties in acts which juries will not impose in practice is to waste time and lower the lawmaking authority in public estimation.'"

It never was intended that in the matter of individual morality the State should take the place of the church. If the church stands in need of any protection in the performance of its duties, that it must have, it is provided for in a statute that makes it a misdemeanor for anyone to disturb public worship. We fail in recalling a single case in which that statute has been violated the offender escaping the penalties fixed.

The principles fully support the views I have advanced about man-made laws, concerning moral conduct and religious beliefs of men, and, to my mind, are incontrovertible. They illustrate and account for the troubles the Federal Government is now having in enforcing the Volstead law. The discontent and resentment from these causes will disappear with the lapse of time and are already much abated.

Mr. President, it was unfortunate, in view of the manner in which the Volstead law was precipitated upon the country with such unseemly haste, that the agents and employees appointed to execute it were excepted from the civil service, and their offices became the prey of political patronage. It was unfortunate that too many of these appointees could not grasp the delicate duties intrusted to them and proceeded to enforce the law in many cases rudely, oppressively, and unlawfully, thus increasing the discontent and resentment of the people. How much better it would have been had these employees been subjected to a civil-service examination and none but proper men appointed. There would have been less antagonism to the law and a more efficient execution of it. This can all now be remedied by placing these agents and employees under the civil service law.

Mr. President, another cause of the difficulty in the successful enforcement of the Volstead law is the resentment of the people growing out of the arrogant and insolent assumption of certain parties, and especially some here in Washington, implied from utterances and actions, that they placed in the Constitution the eighteenth amendment and enacted the laws for its execution and that they are now enforcing it. They assume a personal proprietorship of all these measures and their execution to the exclusion of the Government and the people. These men got into the limelight as the officers, agents, and lobbyists of the Anti-Saloon League; and, although the prohibition amendment has become an accomplished fact and the laws to enforce it have been enacted, they are unwilling to forego the pleasures of prominence on the front pages of papers, the exercise of the power of that organization, and, above all things, to relinquish the salaries upon which they have fattened for so long a time. They assume that they are prohibition, and attempt to usurp the functions of the constituted authorities, duly elected and responsible to the people, in enacting laws and appointing officers to execute them; and they are in this way doing the organization, composed of good men and women which they are misrepresenting, a great injury.

Mr. Wayne B. Wheeler, who, I understand, has been on a salary paid by the Anti-Saloon League since his early manhood, now poses as its general counsel and legislative agent here in Washington, is perhaps the most arrogant of these men. His pretensions to the control of the Congress of the United States are unprecedented, so far as I am informed, in the history of the Government. Mr. Wheeler and others with him have not hesitated to interfere in the election of Senators and Representatives in Congress and denounce them and attempt to defeat their election when they fail to be governed by their dictation.

They denounce judges, district attorneys, and other officers whose duty it is to administer and enforce the laws of the country, and they interefere constantly in the appointment of all Federal officers, attempting to establish and enforce as the first qualification of such officers that they support such legislation and measures as to them, in their limited and narrow vision, may seem proper. Give them their way and prohibition framed and administered according to their dictation would become the sole provision of our Constitution and the sole object of the Federal Government and its administration, a condition inconceivable, disastrous to the people, and intolerable.

Some time ago my attention was called to a circular, broadcasted by Mr. Parker Shields, the field superintendent of the league in Tennessee, a man who had recently been imported from Illinois, soliciting contributions for the support—that is, payment of salaries of local and national agents, containing brazen statements of the activities of Mr. Wheeler in these words:

> "A number of Congressmen who hold the balance of power and pile up majorities in Congress come from the Southern and Western States, where money for organization and educational purposes is scarce. They have always had to have help from the national league. * * *
>
> "In addition to the above, the amount from Tennessee for the national league helps to provide for the maintenance of the entire national organization. It also helps to provide for the maintenance of our national office at Washington, D. C., under the very successful management of Hon. Wayne B. Wheeler, one of the greatest diplomats and attorneys in America."

And again:

> "From this office—that of Mr. Wheeler—needed legislation is initiated, a constant watch is kept on the actions of Congress, and when opposition appears danger signals are flashed to every State in the Union.
>
> "The success or failure of national enforcement depends upon the power of our national organization and its Washington headquarters, backed by the States, to defeat the nomination and appointment of enforcement officials, such as United States district attorneys, Federal enforcement officers, and agents, United States district judges, and many other applicants for office who are out of sympathy with the enforcement of prohibition. Every State logically must carry its proportionate burden of this expense."

There was a meeting recently connected with prohibition enforcement in the city of New Orleans, at which Mr. Wayne B. Wheeler and Dr. Perley A. Baker made assaults upon the courts of the country and the Congress.

What I shall read appeared in the New Orleans papers and has heretofore been placed in the CONGRESSIONAL RECORD, December 12, 1922. I read from the RECORD:

> "These scoundrels who sit on the bench—and I use the term advisedly," said Doctor Baker, referring to the 20 per cent of the Federal judges who he said were obstructing enforcement of the prohibition law—"are drunkards themselves. I hold them responsible for the shooting down of 300 splendid law-enforcement officers during the last year."

Mr. Wayne B. Wheeler is reported as making at the same meeting these misleading and outrageous statements:

"We have no fear of Congress nullifying the dry legislation. The Anti-Saloon League controls Congress.

"Out in my State, Oregon, the prosecuting attorney who made himself infamous by thus prosecuting a Federal prohibition officer was rewarded by the pusillanimous governor with a position on the circuit bench of his State. I should, for the honor of my State, say that the people of the State attended to the governor's case on the 7th of November last."

Mr. President, these arrogant and intolerant men do not hesitate to assault and criticise the highest and the lowest Government officials of the executive, legislative, and judicial departments of the Government when in the discharge of their duties they do not conform to their individual views of constitutional or statutory law. They attack judges for exercising their judicial powers and discretion without knowing the facts upon which their judgments are pronounced. They hold over these officers implied threats of political defeat if they do not yield to their dictation or criticise them for unwarranted interference in governmental matters. When the Senate was considering what is known as the judges' bill, providing for the creation of some 24 Federal judges last year, if I can be allowed to refer to a personal matter, I had occasion to criticise Mr. Wheeler for officious and pestiferous interference in that legislation, and the field secretary, to whom I have referred as a recent importation into Tennessee, I am informed, in a published statement unscrupulously and untruthfully charged that I was opposed to all law enforcement, notwithstanding that as a lawyer and as a judge I had always advocated and aided law and order and the enforcement of all the laws of the land in a just and reasonable manner, a record known to all the people of the State and of which he must have been informed—evidently because of my proper criticism of Mr. Wheeler.

When the time comes when I must abdicate the functions of the high office of United States Senator to any man, associations of men, or corporate interests and be governed by their dictation, I will no longer deserve to hold that high office. I have always conformed my views to the caucus determinations and platform pronouncements of my party, not involving constitutional questions, and have kept faith with my campaign pledges, but in all other things I have been, and will continue so long as I am here to be, governed by my best and conscientious judgment of my duty as God has given me the light to see the right, without considering what effect such action will have upon my political fortunes. I certainly will not submit to the dictation of those who claim to control the Congress, and their misrepresentations and forecasted opposition have no terrors for me.

The limit was reached, I think, when recently the President had under consideration the promotion of a United States district judge of my State, a man above reproach in his private and official conduct, to be a justice of the Supreme Court of the United States. Mr. Wheeler, who was supporting another applicant for the place, insinuated things against him in a conversation with the President which he afterwards withdrew as unfounded, doubtless because he knew the President did not believe what he said, as well as because there was no truth in what he had said, and proceeded to compliment the distinguished jurist.

And yet these gentlemen talk about law enforcement when they are assaulting and making statements, without evidence and without facts to support them, against the courts of the country and the officers of the law, which will shock the confidence of the people in the judiciary of the country, the very citadels of good government and law enforcement, and bring them into disrepute. The courts of the country are the sanctuaries of the law and the bulwark of the personal, civil, and property rights of the people, and no good and patriotic citizen will be guilty of conduct which tends to weaken and destroy them.

Mr. President, the prohibition amendment is a part of the Constitution, and the statutes to enforce it have been passed and are in full force now. Where is the necessity of the activities of the gentlemen I have referred to? Can not the President, the Congress, and the courts of the United States, duly elected, appointed, and sworn, be trusted to execute the laws? Are they less trustworthy and competent than those gentlemen, self-constituted lawmakers and enforcement officers, unsworn and without the color of authority from the people?

Mr. President, I recently read an address by a great man whose brithday the whole country has recently celebrated, and I was so impressed with a statement therein concerning obedience to the laws of our country that I desire to read it here. It will do every citizen good to read it and ponder and follow it:

"LINCOLN'S APPEAL FOR LOYALTY TO LAW

"Let every American, every lover of liberty, every well-wisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country and never to tolerate their violation by others. As the patriots of '76 did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property, and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and almanacs; let it be preached from the pulpit, proclaimed in the legislative halls, and enforced in courts of justice."

Mr. President, the prohibition amendment is a part of the fundamental law of our country, and the Volstead law was enacted by the Congress for its enforcement. This statute is the law of the land, and it must be obeyed so long as it remains unamended and unrepealed. The constitutional amendment, as I have said, will, in my opinion, never be abrogated. Those who are opposed to it might as well accept it and be resigned to the will of the majority of the people. The Volstead law may be amended to relieve it of some of its drastic provisions, but I know of no movement in the Congress for that purpose. The amendment chiefly agitated is to legalize the manufacture and sale of "light wines and beer." What these terms mean I do not know, as they have never been defined by those favoring them. If light wines and beer mean intoxicating liquors to be sold for beverage purposes, legislation for that purpose would be in violation of the Constitution and should not be passed. If this agitation has anything to do with the return of the saloon, the hotbed of moral and political corruption, it will fail. I would never support an amendment that would provide for these things, nor do I believe that any Congress will favor such an amendment to the present laws. I believe the Federal prohibition laws when relieved of the present hurtful influences surrounding their administration will be accepted by the people, and they can and must be enforced. We can not tolerate lawlessness of any character. The General Assembly of Tennessee some years ago passed laws for the prohibition of the manufacture and sale of intoxicating beverages, and, although there was some opposition in the beginning, in a few years they were accepted by the people and were reasonably enforced as all other penal laws of the State, and the people of Tennessee are a law-loving and law-abiding people. I regret to say that this condition has been somewhat changed since the Federal prohibition laws were passed and under the circumstances attending their administration, but I hope that soon again we will have a reign of the law.

Mr. President, while the Federal Government is having some difficulty in enforcing the Volstead law, prohibition is not a failure, as claimed by some. Abolishing the saloon and otherwise removing the facility for obtaining intoxicating liquors, and the accompanying temptation to the young men of the country and those addicted to the drinking habit, has greatly reduced the consumption of such beverages and removed widespread dissipation, poverty, distress, and criminal conduct immeasurably; and any law which has accomplished this for humanity can not be said to be a failure.

I believe that covering of the prohibition officers and employees under the civil service and making every effort to procure the very best men to fill those places and execute these laws will contribute much to remove the prejudice against them and to their just, reasonable, and efficient enforcement; and if I have said anything that will contribute to that result, I think I will have done a service to my country.

CLAIMS OF THE CHOCTAW AND CHICKASAW INDIANS (S. DOC. NO. 124)

Mr. REED of Pennsylvania obtained the floor.

Mr. HARRELD. Mr. President, will the Senator yield to me to call up a conference report?

Mr. REED of Pennsylvania. I yield to the Senator from Oklahoma.

Mr. HARRELD. I renew my request that the Senate proceed to the consideration of the conference report on House bill 5325.

Mr. ROBINSON. What is the request?

Mr. HARRELD. I ask unanimous consent for the immediate consideration of the conference report on House bill 5325.

Mr. ROBINSON. To what does the bill refer?

Mr. HARRELD. It is the Choctaw and Chickasaw claims bill, allowing them to go to the Court of Claims.

Mr. ROBINSON. I have no objection to the consideration of the report.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oklahoma?

There being no objection, the conference report was read and agreed to, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes, having met, after full

and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, and 6, and agree to the same.

That the Senate recede from its amendment numbered 7.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the language proposed to be inserted by the Senate and in lieu thereof insert the following: "*Provided, however*, That the attorney or attorneys employed as herein provided may be assisted by the regular tribal attorney or attorneys employed under existing law under direction of the Secretary of the Interior, with such additional reasonable and necessary expenses for said tribal attorneys, to be approved and paid from the funds of the respective tribes under the direction of the Secretary of the Interior, as may be required for the proper conduct of such litigation"; and the Senate agree to the same.

J. W. HARRELD,
CHARLES CURTIS,
JOHN B. KENDRICK,
Managers on the part of the Senate.
HOMER P. SNYDER,
FREDERICK W. DALLINGER,
W. W. HASTINGS,
Managers on the part of the House.

AMENDMENT OF COTTON FUTURES LAW

Mr. DIAL. I ask unanimous consent to call up the motion I submitted to discharge the Committee on Agriculture and Forestry from the further consideration of the bill (S. 3197) to amend section 5 of the United States cotton futures act to enable the buyer of a cotton-futures contract to demand actual delivery in fulfillment thereof prior to the close of the delivery month.

Mr. REED of Pennsylvania. I am unwilling to yield for the consideration of such a motion.

Mr. DIAL. I do not think it will lead to any debate.

Mr. REED of Pennsylvania. Does the Senator merely ask unanimous consent to call up the motion?

Mr. DIAL. I do.

Mr. REED of Pennsylvania. I thought he was making a motion.

Mr. DIAL. The chairman of the Committee on Agriculture and Forestry has no objection to the motion.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of Senate bill 3197. Is there objection?

Mr. WARREN. I object.

The PRESIDENT pro tempore. Objection is made.

LEGISLATIVE APPROPRIATIONS

The PRESIDENT pro tempore. Morning business is closed.

Mr. WARREN. I move that the Senate proceed to the consideration of House bill 9429, the legislative appropriation bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

ADMINISTRATION OF VETERANS' BUREAU

Mr. REED of Pennsylvania. Mr. President, I want to speak very briefly on the matter of the present management of the Veterans' Bureau. I fancy that most of the Senators in the Chamber have been gravely disturbed by charges that have been made, not only on the floor of the Senate but in the newspapers, against the present management of the bureau which has to do with the relief of disabled veterans. I suppose that many of the Senators feel that where there is so much smoke there must be a lot of fire, and must feel that the affairs which we have intrusted to that bureau are being gravely mismanaged. If Senators do feel that way, I hope they will give me their attention for a very few minutes.

Mr. President, we had 4,500,000 men, in round numbers, in our military forces in the last war. At the close of the war Congress had created a temporary makeshift organization for veterans' relief, and it had outlined four different kinds of veterans' relief for which the men might apply if they were disabled.

They might apply for money compensation for disabilities received; then they might apply for hospital treatment for disabilities under which they were suffering; or they might apply for vocational training to equip them to go back into civil life relieved of those disabilities; or, finally, they might make claim on the insurance policies which practically all of them carried during the World War.

Mr. President, there were over a million claims made by veterans who were disabled or who claimed to have been disabled; over a million cases were thrown into the Veterans' Bureau, which was, as I have stated, hastily gathered together, which had had no previous experience in the handling of this work, and which was about as poorly equipped for the handling of a task of that magnitude as could well be imagined. Thirty-four thousand employees had been gathered together to manage the affairs of that bureau, and most of them had had no experience whatever in claims work or in insurance work. There were a good many doctors, who, of course, had had technical training that helped them, but, with the exception of the doctors who were included in those 34,000 employees, there was practically nobody in the Veterans' Bureau who knew anything about the sort of business which it was going to have to conduct.

The law under which the Veterans' Bureau was operating was similarly defective. It was a makeshift creation of the war time. We had originally created what we called a Bureau of War Risk Insurance to take care of the insurance of ships and their cargoes; and into that bureau we threw the task of administering all of the personal insurance of the men who were in our military forces. We also piled on them the task of administering the other kinds of veterans' relief.

To make matters as bad as possible, at the head of that organization was a man who, in my judgment, failed to appreciate the gravity of the trust that was reposed upon him, who viewed the questions that he had to administer frivolously, it seemed to me; who allowed, if he did not participate in, wanton extravagance, and who seemed to be thinking least of the care of the men for whom Congress intended him to think first. That was the condition of affairs in the Veterans' Bureau up until the 1st of March of last year.

General Hines was appointed to be the new director of the bureau. He came in to find the machine running at top speed. It has been suggested that he ought to have shattered it and built it up anew; but if he had done so——

Mr. DALE. Mr. President, will the Senator yield to me?

Mr. REED of Pennsylvania. I yield to the Senator.

Mr. DALE. In the reference the Senator has made to the man in charge of the Veterans' Bureau, does he mean Cholmeley-Jones?

Mr. REED of Pennsylvania. No; I mean Colonel Forbes. I thought the Senator from Vermont and everybody else knew that. There is no reason for withholding the names, for we have publicly criticized Mr. Forbes.

Mr. NORBECK. Mr. President, I desire to ask the Senator from Pennsylvania a question merely for information. Was Colonel Forbes in charge of the Veterans' Bureau from the time of its creation?

Mr. REED of Pennsylvania. Colonel Forbes was put in charge of the Bureau of War Risk Insurance, according to my recollection, in April, 1921, and he became Director of the Veterans' Bureau when the Veterans' Bureau was created in August, 1921. I think I have the dates correctly.

Now, when General Hines——

Mr. DALE. Mr. President, if the Senator from Pennsylvania will pardon me, I take no exception to the reference he has made, but I should like to explain the reason why I asked him to allow me to interrupt him. I have a very high regard for the management of Cholmeley-Jones during the time he was director.

Mr. REED of Pennsylvania. I did not intend to reflect on Colonel Cholmeley-Jones. I thought that everybody who heard me knew that I was speaking of Colonel Forbes, or I should have mentioned him by name.

When Colonel Hines took charge of the office there was an investigation pending in the committee of the Senate which had been created by a resolution which was passed in the closing days of the last Congress. That committee, which consisted of the Senator from Massachusetts [Mr. WALSH], the Senator from Nevada [Mr. ODDIE], and myself, was just beginning to get to work at the time when Colonel Hines came into office and began to direct the affairs of the bureau. Naturally, with the thousands of inquiries that we were addressing to him, we did not make his task any easier, because we kept calling on him for reports and special investigations and information of all sorts on all subjects, and I know that we were a thorn in his side for about a year.

One result of our investigation was that we stirred up the personnel of the bureau, and it was inevitable that we should do so, because we were criticizing many of the principal officers of the bureau, and I think that during the time of our hearings, especially during that time when so much scandalous matter was coming out about the administration of the director's office, the clerks in the Veterans' Bureau were spending as much time reading the newspapers for the reports of those hearings as they were in doing their own proper work.

Another bad result our investigation had for the time being was that it caused the beneficiaries of the bureau, the soldiers who were depending on the bureau for aid, to become very much excited. They gained the impression that in some way most of them had been defrauded, and it was natural that they should, because our committee had to investigate hundreds, even thousands, of cases where the bureau had acted unfairly toward the disabled men, and the impression spread abroad, I think as the result of our work, that the bureau had not acted fairly toward any men. That. however, was unfair and wrong.

In the vast majority of the cases the bureau has been fair. In most of the cases, I think, they have given the disabled man the benefit of the doubt; but there are some cases where they have done cruel injustice, and such cases have been mentioned here on the floor from time to time.

Another effect of our investigation was that we stirred up the veterans' organizations to an even greater aggressiveness than they had theretofore exhibited, and they saw the principal wrong they had to remedy was the bad treatment that their men were receiving from the Veterans' Bureau.

Those troubles were bad enough for General Hines; but he had not been in office more than a few months before the President who appointed him—President Harding—died, and it must have seemed to General Hines as though everything he was trying to do disappeared before his eyes because of President Harding's death, the continuing investigation of the committee, and the unquiet among his personnel. He had 30,000 employees, remember, and they were all of them in a turmoil over the investigation, and it was no easy task that he had during the year 1923 in trying to keep the bureau functioning.

And now let me present to the Senators, if I may, the situation that General Hines had on his hands as to vocational training. He found that 644,242 men had applied for vocational training, and every one of them who did not get it thought that he had been harshly treated; but the law which we have passed limited vocational training to those men who were susceptible of improvement and of rehabilitation. It did not authorize the director to give a training allowance and free education to every veteran who asked for it; and yet that is what the veterans thought, and every one of the 644,000 men who did not get it when he asked for it felt that he had been cruelly dealt with.

On the 1st day of last month there were in training in Veterans' Bureau institutions or in other institutions of learning 59,352 disabled men still undergoing courses of rehabilitation to fit them for new occupations. Those men were in more than 2,000 different institutions, and their welfare and the success of their rehabilitation is directly charged to the Director of the Veterans' Bureau, General Hines. That is only one branch of his work.

He has charge of granting compensation under the act of 1917 to the men who were disabled as a result of their military service, and up to the first day of last month there had been presented to him 947,347 claims for compensation, of which approximately one-half were allowed and one-half disallowed. Of that half, 470,000 men, whose claims for compensation were disallowed, it is safe to say that practically every one of them thinks that he has been unfairly treated either by the doctors who rated him or by the authorities here in the bureau who have ratified the rejection of his claim. Yet the bureau in rejecting the claim was doing what we required it to do in limiting compensation to those disabilities which could be shown to have resulted from war service. It is not enough, in other words, for a man who fought in the war to bob up now with some kind of a physical ailment. That does not get him compensation, and Congress never meant that it should. The causal relation between the military service and the disability must be shown, and that is where so many of these claims, pitiful as they are, fall down, because the man can not show, and no doctor can show for him, that it was his military service which caused his disability.

Mr. REED of Missouri. Mr. President——

Mr. REED of Pennsylvania. I yield to the Senator from Missouri.

Mr. REED of Missouri. I do not rise in a controversial spirit; but what has the Senator to say about the fact that in numerous cases reputable physicians have said that in their opinion there was a causal connection, and yet such cases have been rejected by the thousand?

Mr. REED of Pennsylvania. All I can say about them is that if the preponderance of the evidence showed that the service caused the injury, then they ought not to have been rejected; and if they were rejected where there was such substantial proof of the cause, then they ought to be reopened, and they will be reopened at any time on application.

Mr. REED of Missouri. I have used the term "thousands of cases." That of course is merely the roughest kind of an estimate and is based upon the number of cases that have been reported to me, and I assume I have had reported to me only my natural share. As I understand the rules of the bureau, they have almost closed the door to all that vast number of cases where there can not be shown with absolute certainty direct relation between the condition of the patient and the injury, thereby excluding the cases where, in the opinion of the physicians, the condition did result from an injury. In other words, they seem to apply much the same doctrine that the courts apply to proximate and remote damages, and they have applied it, I think, with great severity and with great injustice in many cases.

I do not want to interrupt the Senator, but I should like to direct his attention to that question.

Mr. REED of Pennsylvania. I am glad the Senator asked about that, because that is partly our fault. We made the law pretty rigid originally, and we have very much liberalized it in the bill which has passed the Senate, and which I hope will pass the House next week.

Mr. OVERMAN. Mr. President——

Mr. REED of Pennsylvania. I yield to the Senator from North Carolina.

Mr. OVERMAN. From my experience I want to commend most heartily the administration of this office by General Hines. Since he came in I have had action, and I have had no complaint to make of it. Prior to that time I did have great complaint from every source.

I think the trouble is not with the director but in these subdistricts. That is where my trouble has been—for example, in Atlanta. All my claims had to go to Atlanta, to be passed upon down there. They were turned down, and then there was trouble in getting action on an appeal. Since General Hines has been in office, however, he has administered the office faithfully, honestly, in my opinion, and very ably, and I am glad to say that.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. REED of Pennsylvania. I yield to the Senator from Utah.

Mr. SMOOT. I want to call the Senator's attention to the fact that the original act requiring proof of service origin was taken absolutely from the act under which the Civil War veterans had to do exactly the same thing in exactly the same way, and prove the exact facts. That act may have been a little rigid, as the Senator says, but the Civil War veterans had followed it from the very first, when they were given a pension of $6 a month; and it never has been changed up until the present time, I think.

I was very glad to hear the Senator from North Carolina speak of General Hines as he did. I have known General Hines all my life. He is a soldier himself. He has heartfelt sympathy for the soldiers, and I believe that no human being could manage the office better than he; and, I may add, no human being can stand at the head of the Veterans' Bureau and escape criticism. It is an absolute impossibility. I have not any doubt in my mind that he is doing everything possible for the soldiers under the law, and no one would want him to violate the law.

Mr. CARAWAY. Mr. President, may I interrupt the Senator, since everybody else is making a speech in his time?

Mr. REED of Pennsylvania. I am glad to yield to the Senator. He is not interrupting me.

Mr. CARAWAY. Personally, I have no disposition to criticize General Hines. I do not know him. I have thought that the first care of the Senate was to see that the men who were disabled got decent treatment. I hope the Senator from Pennsylvania—and that is what I wanted to direct his attention to—will discuss some of the things that have occurred there. There are evidently some people in charge down there who are not intelligently discharging their duty. Does the Senator hold out any hope that General Hines is going to correct that evil?

Mr. REED of Pennsylvania. I do, indeed, and that is what I am coming to.

Mr. CARAWAY. That is what I want to hear. Personally, I have never seen General Hines. He may be an elegant gentleman; but I have a few cases in mind, and I hope the Senator will discuss them, that were so outrageous, and I have called his personal attention to them and have received no kind of redress, that I am frank to say that I am very impatient. I called attention to the case of a negro that they let die in the street, and it took a year to find out why they did not give him some relief; and then I had a letter absolutely in conflict with the fact. I have the correspondence here, and if it becomes necessary I should like to put it in the RECORD. The record they finally made up and sent out to me reflected, I will not say an intentional falsehood, but a falsehood. I did not know the negro, but I have the correspondence. First they said his application had been denied, and that it would be necessary to make a motion to reopen it. As a matter of fact, he never had made an application. Where they ever got the idea of saying that his application had been denied, when no application had been made, I can not imagine.

Mr. SMOOT. Probably it had been made in the district office.

Mr. CARAWAY. Oh, no; there was no application anywhere. No; it came from here. Then I called attention the other day to a case that they held up entirely, and said they were waiting for The Adjutant General to make a report, when the record showed that the man was a sailor.

Mr. REED of Pennsylvania. If the Senator will let me proceed in my own feeble way, I was coming to those particular cases, because I think the Senator is entitled to an answer, and I have asked the bureau to let me have their side of the matter. First, however, I hope the Senators will let me present the situation that is confronting the bureau now. I do want, within a very few minutes, to answer the Senator's question responsively.

Mr. CARAWAY. That is all right. I want to get the record here so that I can read the letters after we have heard the Senator's answer, because I think they will be rather interesting.

Mr. REED of Pennsylvania. The cases of which the Senator is speaking are those, I think, that he mentioned at page 7212 of the CONGRESSIONAL RECORD.

I started to tell just the size of the job that is confronting the present director. He has had 644,000 applicants for training, and 59,000 of them are to-day in training in more than 2,000 institutions. That is the first item of his business. He has had 947,000 claims for compensation, and there are still active to-day 234,882 of such claims.

Mr. President, I can hardly hear myself talk, and I am sure no one else can hear me.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. REED of Missouri. Mr. President, without complaining at all of the galleries, about nine-tenths of the confusion in the Chamber is being made in the galleries. They are large numbers of people who are being marched in and marched out, and all kinds of conversation are going on in the galleries. I do not want to complain; people are naturally interested and feel like talking; but I am sitting only 15 feet from the Senator from Pennsylvania and I find difficulty in hearing him.

The PRESIDENT pro tempore. It is the observation of the Chair that very little of the disorder is found in the galleries. It is all found on the floor of the Chamber itself. It is brought about by audible conversation.

Mr. REED of Missouri. The Chair's observation is too limited. I happen to have been observing the galleries, and have passed along them this morning, and I say to the Chair with all respect that a vast amount of the confusion is in the galleries. There is some on the floor, and it ought to be stopped everywhere.

Mr. REED of Pennsylvania. Ordinarily I would not care, because I think I could talk down the galleries; but I have not much voice left this morning.

Those are only two of General Hines's tasks—that vast number of applications for training and the vast number of applications for compensation.

In addition to that, General Hines is the head of one of the biggest insurance companies in the world, because the bureau has practically $3,000,000,000 of outstanding insurance on which most of the policyholders pay premiums each month—a perfectly tremendous task in itself, of which most of us hear very little; and all that has to function under him.

Finally, General Hines is at the head of a great hospital system in which he has to-day, or had on the first day of last month, 23,914 patients. He has under his charge some 27,000 employees of all kinds, more than an Army division, and they have charge of these four great groups of activities for veterans' relief.

They told us last summer that the mail coming into the Washington office amounted to more than 75,000 letters a day. You can imagine what opportunity there is for occasional stupid replies like the one to the Senator from Arkansas, which spoke of an inquiry in the War Department about a disabled seaman.

Mr. CARAWAY. What I should like to say to the Senator is that they have done nothing with it yet.

Mr. REED of Pennsylvania. I have the facts here, and perhaps I had better give them to the Senator.

That was the case of Giles L. Matthews, who was an apprentice seaman in the United States Navy. The Senator from Arkansas wrote to find out why his case was not being taken care of, and the answer that came back said that they were waiting for a report from The Adjutant General's office. Of course The Adjutant General has charge only of Army matters, and they would have to wait until eternity before they would ever learn from him about the service record of an apprentice seaman; and the Senator from Arkansas was very properly wrathy at such a reply. At least, if he was not wrathy, I was wrathy when I heard about it. Now, here is the way it came about.

Mr. CARAWAY. What I want to say is that that was a month or six weeks ago, and they have done nothing yet. I suppose they are still waiting on The Adjutant General.

Mr. REED of Pennsylvania. This report is dated May 7. There are over 5,000 letters of inquiry of that sort coming in every day, and it is physically impossible for Colonel Mulhearn to see them or do more than sign them. That of itself is something of a job.

The actual inquiry in that man's case had been sent to the Navy Department. It went to the Bureau of Navigation in the Navy Department, and that was the proper bureau to make a report on that man; but the clerk who prepared the reply to the letter of the Senator from Arkansas stupidly wrote that they were waiting for an "A. G. O. report," as he called it, which meant a report on the man's service record from The Adjutant General. That was wholly erroneous. No report had been asked of The Adjutant General. As a matter of fact, the report was inquired of from the proper office, and the mistake, and the only mistake, lay on the part of this clerk in dictating the reply to the Senator from Arkansas.

Mr. CARAWAY. May I suggest to the Senator that that looks very much to me like loading off a mistake on some unknown person. Nothing as yet has been done in that case. If they had done something with it after I again called their attention to the fact that he was a sailor and not a soldier there would be some excuse for that sort of an alibi being made here in the Senate for the Veterans' Bureau.

Mr. REED of Pennsylvania. I will have to get another report to find out why something has not been done.

Mr. CARAWAY. That case, while it was rather striking, disclosed action no more stupid than that in the Dwight Ledbetter case or the Baker case or the Brown case or the Milton Young case; and I have just said that I could find a half dozen others where the action was just as stupid as in that, though our attention was directed more to the absurdity in that case. I can not approve of this action of coming back to the Senate and laying the stupidity off on some inefficient, unknown clerk, when you can never find anybody who will take any responsibility for the action.

In the other case—the Giles case—Major Smith, I believe he calls himself, called me up and told me that he and the director had had a conversation about that case that morning, and that they were going at once to set it right; it was so stupid that he could not account for those facts having escaped them; yet nothing has ever been done with it up to this time.

Mr. REED of Pennsylvania. Mr. President, with nearly a million claims for compensation, and 600,000 claims for training, it would be an incredible thing if there were not literally thousands of stupidities like that. The point I am trying to make is that General Hines went into a department that was running at top speed, that was overloaded with work, that had made a rotten record in the performance of its duty up to that time. Of course, he could not correct all the mistakes at once. What I am leading up to is that, considering the circumstances and bad conditions he found, considering the trouble we made for him with our investigation, Director Hines has done an admirable piece of work since he went into office in March, 1923.

Mr. CARAWAY. I want the Senator to tell us what he has done. I find the same old crowd in power. If he has changed any of it, I have never heard of it. There is the same stupidity and the same absolutely wanton disregard of the soldiers' rights. I would like to know just what the general has done except to raise the salary of everybody who was blocking the work of the whole bureau before he came in.

Mr. REED of Pennsylvania. I will tell the Senator a few of the things the general has done.

Mr. CARAWAY. Do not lay all the mistakes off on some unknown clerk. Tell us something the general did.

Mr. REED of Pennsylvania. I am about to tell the Senator something he did.

The bureau is practically current, as they call it, in all of its work. They dispose of their work promptly and effectively, and the average time per case in delay has been very greatly reduced. The bureau is functioning better to-day than it was functioning when General Hines came in. He has reduced the number of employees there by 3,200 persons, and he would have reduced it more than that if we had not built a lot of new hospitals that he had to man. What he has actually done has been to reduce the number of administrative employees by 4,742 persons, and that at a saving in his annual pay roll of $6,500,000.

Allowing for the additional personnel assigned to the new hospitals which we have built, there is still a net reduction of 3,265 employees in the past year, and I claim that that of itself is a great exploit.

Next, by economies, by the elimination of unworthy cases, he has cut down the cost of running the Veterans' Bureau, so that this year it will cost $90,000,000 less than last year.

Mr. CARAWAY. Mr. President, he has probably cut down the cost by cutting off the compensation of men, has he not? I have in my hand the statement of a case of a man who has a citation for gallantry in action, who was wounded in action, and who was getting $80 a month. The affidavits of everybody who know him, including that of a gentleman who sits in this Chamber—not myself, and not a Member of the Senate, but an employee who knows the man—and the affidavits of all the doctors show that he is physically unable to make a living. Now he is getting $8 or $9 a month. Of course they effect an economy on him.

I have a statement of the case of James T. Brown right here. He received a citation and a silver star for bringing in 12 German prisoners single handed. It took him a year and a half to get his case straightened out. He had compensation of $50 or $60 a month, I think, but I believe he is now getting $9. He is unable to work. There are two cases which are striking examples of the economies in cutting down expenses. But somebody is starving. If that is the only record the director has made, I am curious to know why the Senator is defending him.

Mr. REED of Pennsylvania. It is possible to take every one of the 474,000 claims that have been rejected and, by telling something of the circumstances, make out a case of merit. But if there is a single one of these statements that is not as erroneous as the two the Senator from Arkansas has just outlined, all the Senator has to do is to call the attention of the director to those cases and they will be corrected.

Mr. CARAWAY. I have the director's letter right here in my hand. He paid seventeen or eighteen hundred dollars that belonged to a minor to some person who had no right to receive it. I took the case up individually and personally with the director, and I have his letter right in my hand, which I will read when the Senator has concluded.

Mr. REED of Pennsylvania. I am glad the Senator mentioned that, though the Senator goes from one case to another, and I am afraid I do not follow him as well as I should.

Mr. CARAWAY. I beg the Senator's pardon. I should not interrupt him——

Mr. REED of Pennsylvania. I want the Senator to interrupt me.

Mr. CARAWAY. But I get so enthusiastic about these cases.

Mr. REED of Pennsylvania. As to the last case about which the Senator has spoken, here is the situation: In that case it was a matter of insurance, as I recall it. The man had died. His will was probated, and there was nothing on the record to show that the probated will was irregular, or that it was not his will. The bureau paid the money to the person entitled under that probated will. Then there was an appeal taken, the action of the court was set aside, and some relative who benefited by the action on the appeal came in and claimed the whole amount of the insurance money, incuding what the bureau had innocently paid on the faith of the earlier probate.

Mr. CARAWAY. May I ask the Senator a question?

Mr. REED of Pennsylvania. Certainly.

Mr. CARAWAY. Does not the Senator know that the probation of a will is not final until the time has elapsed within which an appeal may be taken?

Mr. REED of Pennsylvania. That is true.

Mr. CARAWAY. They paid this money without giving the minor a chance to appeal. He did appeal. The circuit court promptly set aside the probation of the will, and the Supreme Court affirmed that action. Everybody who knows anything knows that the mere offering of a will for probate and the probate court accepting it does not mean that that is a conclusive judgment, and it is not conclusive until the time shall have run within which an appeal may be taken.

Never waiting, they paid the money to a literally irresponsible person, and now a little child is compelled to bear the loss. I have the record right here, and I shall be glad to put it in. The director says he thinks the action in that case was entirely proper.

Mr. REED of Pennsylvania. I am willing to admit, and I suppose the whole Senate will, that the Senator from Arkansas is exactly right in his contention that the bureau should not have been in such a hurry to pay to the persons entitled under this will, but it is an amiable fault, perhaps, on their part, to want to pay the beneficiary promptly, and they did it, and that is where the trouble came. Let me tell the Senator just what the result is.

Mr. CARAWAY. I know what the result is.

Mr. REED of Pennsylvania. While the Senator from Arkansas is most effectively finding fault with the bureau for paying on a probated will where they did not know there was going to be any appeal, the Senator from Florida [Mr. FLETCHER] is complaining of the bureau—and the Senator will find it at page 7213 of the CONGRESSIONAL RECORD—because in a case coming up from his State the bureau refused to pay on a probated will because they had had notice that an appeal was to be taken. There, in almost the same number of the CONGRESSIONAL RECORD, is the Senator from Arkansas lambasting the bureau, if Senators will forgive the word, for paying on a probated will where they did not expect an appeal, and the Senator from Florida with similar force taking the hide off them because they would not pay on a probated will where they knew there was going to be an appeal. It is pretty hard to run a Veterans' Bureau to satisfy both Arkansas and Florida where they differ on precisely the same point at the same time.

Mr. CARAWAY. I presume the Senator wants to be accurate about it, but in the case mentioned by the Senator from Florida the Government itself appealed. No individual appeal was made at all, and therefore the Senator is wholly mistaken in his facts. In this case there is a little child. The mother and father are dead, and the bureau paid the money to a wholly irresponsible person, and now insists that this penniless, helpless child shall bear the loss occasioned by the mistake of the bureau; and that case receives the approval of the director himself, because I called it to his attention. I did not want the alibi to be made that somebody did this without his knowledge. Therefore the Senator is wholly mistaken in both of his explanations about these two cases. I know, of course, that he has not intentionally made a mistake.

Mr. FLETCHER. Mr. President, may I suggest that the main objection I had was that the bureau put itself in the attitude of conducting a contest, all expenses borne by the Government, summoning witnesses, employing agents and detectives to go out and gather up testimony, hunt up parties and witnesses, and waging the contest on its own responsibility for the benefit of other people, and undeserving people, at that.

After the case had been tried in court, after the judge had charged the jury, and the jury had found the verdict, and the judgment had been finally entered, then the bureau continued to prosecute the case to the United States circuit court of appeals at its own expense, thus relieving all contestants of all expense, taking upon itself the burden of overcoming the finding of the jury and the judgment of the court.

Mr. CARAWAY. And that was in the interest of a worthless negro who had abandoned his wife 20 years ago.

Mr. FLETCHER. Abandoned his children, including this soldier, who has a small child, and he had not been heard of again until he appeared to get the Government to make the contract for him over the insurance left by the boy he had deserted in his infancy.

Mr. CARAWAY. A grown man; and this case to which I called attention is that of a helpless baby, the orphan of a soldier, where they so hastily paid the money out.

Mr. REED of Pennsylvania. If the Senator will permit me, the case in Florida, as I understand it, was a claim by an aunt of the half blood under a letter, which she said was a will, to the exclusion of the father, the sister, and four brothers of the full blood of the soldier. I think the Government may have been overzealous in carrying on its appeal, but it must have been right, because the appeal was finally successful.

Mr. FLETCHER. In this respect, that the circuit court of appeals held that in the application for probating this letter as a will, notice had not been given to these people who after-

wards turned up as father and brothers and sister, and so forth.

I happen to know personally about this case, though I do not care to go into it at length. I know this old woman, who nursed my children. She is a most worthy woman, so honest and so trustworthy that when I came to Washington, leaving my residence with all the furniture, silverware, library, and everything else in it, I turned the key of my house over to this old colored women, and she was in possession of the place for four years.

She could have taken everything out of the house if she had wanted to and charged it up to robbery or what-not. She was faithful to her trust as I knew she would be. When I went back there was not a pin missing. It is a vile slander to intimate that she is capable of dishonesty or fraud. That is the character of woman who stood in loco parentis to this boy who enlisted in the Army and who died, and wished her to have the insurance benefit. Before he died he wrote the letter to her in which he said he wanted everything that he might leave to go to her and her daughter, calling the daughter his sister. I saw that letter, and I know that there was nothing wrong, no fraud, no error, no mistake, no anything about it but absolute justice and right and truth. I know that to be the fact.

Consequently when the Government officials undertake the burden of trying to show that the will was a forgery or a fraud and employ agents and for months and months contest the case, sending special counsel from Washington to Jacksonville to try it, after losing it, as they should, appealing it, I say they are assuming a good deal of responsibility. The boy's father had not been heard of for 20 years. The boy was abandoned when he was a child and had been cared for and reared by this old woman who took the place of his mother. He treated her as his mother and she treated him as her son. He grew up in the family. He was not married, and when he made his application for insurance he could not specify beneficiaries, so his insurance went to his estate, and he wrote this letter when he was dying of pneumonia, expressing a desire that the insurance should go to this woman who had been his mother and reared him and in whose family he had lived all those years, and her daughter whom he regarded as his sister. The Government undertakes to show that there was fraud and takes the responsibility of conducting the fight in behalf of the sister or brother who turns up and about whom nobody knew anything, and an alleged father no one had heard of for over 20 years. Nobody knows now whether he is the father or not, but the Government represents their alleged interests in the contest.

When the will was probated the suit was brought in the United States court, the judge charged the jury and the jury found for these claimants. Then the bureau persisted and determined to take the case to the circuit court of appeals and there, after months and months of time, imposing expenses, attorneys' fees, and loss upon the plaintiff who had been adjudged entitled to the benefits of the insurance; it reversed the case on some technical matter in connection with the giving of notice with respect to the application to probate the will. Of course, they will proceed now to give the notice. They never knew there was anybody to give notice to, but they will give any sort of notice that may be required and will proceed to probate the will as well, and eventually the case will be decided again just as it was decided before.

There was a decision by a court of full and competent jurisdiction and that seems to me as far as the Government ought to go in a matter of that kind. Certainly that would have protected the Government.

Mr. REED of Pennsylvania. Of course I can not undertake and would not pretend to think that the action of the bureau in every case has been along lines of best judgment or that in every case justice had been done. It would be absurd for me to claim that. All I claim is that there has been a very marked improvement in the bureau under General Hines.

Now, I want to turn to a statement made by the Senator from Nevada in his remarks on Thursday which I can hardly believe to have been reported correctly.

Mr. CARAWAY. Mr. President, before the Senator gets away from the other matter I wish he would express an opinion. Does he think the bureau ought to pay this soldier's child down in Arkansas or let it bear the loss? I refer to the Giles case.

Mr. REED of Pennsylvania. I understand they have already paid the child.

Mr. CARAWAY. When did they do that?

Mr. REED of Pennsylvania. I believe they did it a few days after the Senator called their attention to it.

Mr. CARAWAY. They were very thoughtful not to tell me about it.

Mr. REED of Pennsylvania. I thought the Senator knew it.

Mr. CARAWAY. Oh, no.

Mr. REED of Pennsylvania. I did not know it until yesterday.

Mr. CARAWAY. I feel very much interested to know they paid it, because they did not inform me of that fact.

Mr. REED of Pennsylvania. I suppose I get 25 cases of this kind in my office every day. It is impossible for me to do any other work if I try to look into each of the cases that come to my office asking help. I know that my office is only typical of the offices of all the other Senators. We ourselves can not give attention to the particular cases, and obviously we can not expect General Hines himself to give personal attention to each one of the million cases that have come into the bureau.

Mr. CARAWAY. If the Senator will permit me to interrupt him, I will not do so again. The thing that is so astounding is that here is the general's letter saying it was entirely the proper thing not to pay the minor, but to pay it as they had. I have his four-page letter defending that course. If he ever changed his mind about it, he neglected to say anything to me about it.

Mr. REED of Pennsylvania. I do not know the details of it, but I was told that it had been paid.

Mr. CARAWAY. I shall feel very much interested to know about it.

Mr. REED of Pennsylvania. I want to turn to a statement on page 9838 of the RECORD, where the Senator from Nevada on Thursday stated:

> In the division of rehabilitation as at present conducted there is a wholesale waste of public funds, and this with the full knowledge and approval of the director.

Then the Senator illustrated that or proved it by referring to a contract between the Veterans' Bureau and the New York Institute of Photography and the Lexington Vulcanizing School, or adduced those two cases as proof of his assertion that General Hines knows and approves of waste in the bureau. I beg the Senate to listen to me for a couple of minutes until I tell them what the facts are about those two cases.

Neither of those contracts was made by General Hines. Both of them were made long before he came into the office. The Senator from Nevada points to those two contracts as evidence of General Hines's knowledge and approval of waste, and yet I say that both of those contracts—and they are only two out of 2,000 similar contracts, because there are 2,000 pending contracts of that kind—were made before General Hines came into office, both of them have been under suspicion by General Hines, both of them have been investigated, and one of them, the Lexington Vulcanizing School, is a case that General Hines thought was so fraudulent that he sent it to the Department of Justice for prosecution. The papers were recalled from the Department of Justice at the request of the Senator from Nevada in his letter of April 4, 1924, asking that the papers in the Empire Linotype School and the Lexington Vulcanizing School cases be returned. He requested—

> that proper steps may be taken to secure the papers in these cases from the Department of Justice and the general counsel of the bureau for my immediate use.

Although he knew that the case was started by Forbes, found fraudulent by Hines, and had been put in the Department of Justice by Hines for further prosecution, he cites that as an instance of Hines's knowledge and approval of waste and graft. I submit the Senator was not fair to General Hines when he did that.

Mr. ODDIE. Mr. President, in reply to what the Senator from Pennsylvania has just said I should like to state that from information I have received these two matters were called to General Hines's attention about a year ago and when the agitation was started a few weeks ago action was taken. I understand, further, in the case of one of these schools, that permission has been granted to continue these operations for some months to come.

Mr. REED of Pennsylvania. The other one, the New York Institute of Photography, was another contract made by Forbes, suspected by Hines, investigated by Hines's inspection division last year, and the inspection division on December 7, 1923, recommended that the contract, which expired in June of this year, should not be renewed, and it has not been renewed. All payments have been held up by the director pending further investigation of what that school did under its old contract.

That is the kind of thing that is brought out and charged against General Hines in proof of the general accusations that he is not running the bureau properly, but when we run down the separate charges they all blow up like that one. I feel that it is only justice to General Hines for me to stand here and say publicly that the charges that have been made against him disappear like the snow in the sunshine when they are once looked into.

Mr. FLETCHER. May I interrupt the Senator just to say that I have no idea of making any further reference to the case mentioned this morning, but it was brought up and I felt like saying what I did. I want to say now that so far as I know General Hines had nothing to do with it. I think all that program was marked out and was under way at least before General Hines ever came into the service.

Mr. REED of Pennsylvania. I thank the Senator for making that statement.

Mr. FLETCHER. I do not claim that General Hines is responsible for what has been going on there.

Mr. REED of Pennsylvania. I know that General Hines was ready to give up his own leisure to work on particular cases, to give up his Sundays to make inspections of hospitals, to work nights on the task, and I do not know a Government official who is more devoted in carrying out the great work that is intrusted to him than is General Hines. I beg for tolerance for him, because it is perfectly obvious that no man at the head of a vast business like that can get decent results if his employees are going to spend a large part of their time reading condemnations made on the floor of the Senate and printed in the daily papers.

Mr. CARAWAY. May I ask the Senator a question? I wonder if the Senator thinks we will get good results by apologizing for what a man does that is wrong instead of asking him to correct the wrongs?

Mr. REED of Pennsylvania. I do not mean to apologize for what is done that is wrong.

Mr. CARAWAY. I got that impression from the Senator when he said we ought to let the bureau go ahead with its injustice and excuse it because calling attention to it interferes with the general in the discharge of his duties.

Mr. REED of Pennsylvania. Not a bit. I am glad to make it clear that if the Senator knows of a single case or any general policy that is wrong I hope he will call it emphatically to General Hines's attention, but the way to do it is not to get up in the Senate and make speeches about it.

Mr. CARAWAY. Every case I have referred to I have first taken up with the general in person—the Milton Young case, the Gilles case, and the Brown case—and waited until he should himself approve the wrong before I even mentioned it on the floor of the Senate. I wrote him and gave him every chance. I called attention to the Gilles case three different times and got three different letters after I asked him to look into it. I said to him, "I think you can not approve of these things if you know about them," and yet he did.

Mr. REED of Pennsylvania. The Senator might just as well take any other great department of the Government and pick out particular cases. Of course, there will be hundreds of them where we do not agree with the department in what it does, but we will have to expect that. I have sent dozens of cases——

Mr. CARAWAY. If we have to expect wrongs, of course we will never get them righted.

Mr. REED of Pennsylvania. I do not think they are wrongs. They are disagreements.

Mr. CARAWAY. Why did they pay the Gilles child after I mentioned it on the floor of the Senate?

Mr. REED of Pennsylvania. The minute the Senator called attention to something that was wrong they corrected it.

Mr. CARAWAY. But I had done that over and over again without getting any result. The whole record was made up a month or six weeks or two months before and presented to them, and they would not correct it.

Mr. REED of Pennsylvania. I have sent dozens of cases to the Veterans' Bureau which they have rejected. They did not agree with me. I thought they were deserving cases. I thought and still think that in many of those they were wrong. I have thought that about courts which decided against my client when I was practicing law, but it does not do any good to get up on the housetop and denounce the whole judicial system.

Mr. CARAWAY. I evidently did good by denouncing them in this case. They would not pay the claim as long as I undertook merely to discuss it with them. Just calling their attention to it personally and not publicly, they would not pay it. That is a confession, it strikes me, that publicity was the only way to get the director to change his viewpoint.

Mr. REED of Pennsylvania. We are all working to the same end. We want the Veterans' Bureau to function properly and efficiently and fairly. What I wish to submit for the thought of the Senate, however, is, first, that there has been a great improvement; and, next, that the way to secure further improvement is not to keep that bureau in hot water all the time by public denunciation here to which the bureau is powerless to reply. Except for my poor words to-day, there has been practically no reply for months, while criticisms of particular cases have been made publicly against the bureau. It will not be possible for us to get the right kind of men to continue to work in that bureau if their service is to be made the target of attacks in the Senate day after day.

For the sake of the Veterans' Bureau, for the sake of the men themselves, who are the beneficiaries of the work of the Veterans' Bureau, I wish to plead that Hines be given a chance. In what I say I am not alone. The veterans' organizations feel the same way; the American Legion and the Veterans of Foreign Wars, and, with the exception of one outbreak before our committee, I think I can say that the disabled American veterans feel the same way. They all believe in Hines, and believe he is doing his level best. I know I am speaking the sentiments of the American Legion and of the other veterans' organizations when I say that the thing to do is to give him a chance. He has already made important changes in the chief administrative offices immediately under him. For us to get up here in the Senate and demand that he "fire" every assistant director is a preposterous thing. He would stall all the machinery of the Veterans' Bureau if he were to do any such thing as that; and the sufferers would not be so much the men who were discharged as they would be the former soldiers, for whose relief we are all eager to work together.

Mr. CARAWAY. Mr. President, I had hoped that instead of coming here and lecturing us, who were doing what we could to see that the wounded and disabled soldiers might have decent treatment, the Senator from Pennsylvania, who is the spokesman for the Director of the Veterans' Bureau, would have some suggestion of possible relief.

Mr. REED of Pennsylvania rose.

Mr. CARAWAY. Had the Senator concluded his remarks?

Mr. REED of Pennsylvania. Yes; but I shall be glad to answer any questions.

Mr. CARAWAY. I was not desirous of asking the Senator any questions; but I thought perhaps I was interrupting him.

I have never indulged in criticism of the Veterans' Bureau so long as I had felt there was a possibility of getting relief. I have confined my efforts solely to presenting the case to the director of the bureau.

I will take the Milt Young case. I thought—and I think yet—that something ought to have been done with reference to that case. The bureau sets out its side of it and the correspondence presents the other. Milt Young was a disabled negro soldier; he had no application pending for contributions from the Government's bounty, but when he was stricken with a fatal malady the doctor took him to a hospital at Memphis and tried to have him admitted. The hospital authorities refused to admit him, and wanted him to take up the question of his disability so that he could be regularly admitted. His was an emergency case. He did wire, I think, to the bureau, and it replied his application had been denied. This when he had made none. He died. Then for a year I could not get an intelligent reply from the bureau in reference to the case. I was shifted from one official to the other. Finally the director, with all the facts before him, if he cared to read the correspondence—for I sent it to him and marked it "personal" and have his letter signed in person—approved of the action which had been taken. I complained about that in the Senate. I still complain.

Take the Gilles case, which the Senator from Pennsylvania apologized for a minute ago. When the soldier died he left a little child. Its mother died and the bureau gave his pay to a relative, who was financially irresponsible. Then when the bureau found out that the court had decreed otherwise it insisted the child must bear the loss, although it was just a few years old and had neither mother nor father and had nobody on whom it could depend. A stranger had to take up this case and fight it through the courts.

I called that to the attention of the director, and he approved what was done. I again called it to his attention, and said, "I am certain the director does not intend to approve that when he knows all the facts." He then wrote me a four-page letter and approved it. What was I to do with reference to that? The man who committed that unpardonable offense—and it seems to me to be so—was started in the bureau in 1920 at a salary of $4,000; in 1921 he got $4,500, in 1922 he got $5,000,

in 1923 he got another raise to $5,500; in 1923 he got still another raise to $5,600. Since he committed this blunder he has received two other increases and now gets $7,500 a year. Of course, it would be somewhat difficult for me to say that his conduct was disapproved when every time he made a mistake his salary was raised.

Mr. REED of Pennsylvania. Mr. President, will the Senator from Arkansas yield to me?

Mr. CARAWAY. I yield.

Mr. REED of Pennsylvania. As to the Milton Young case, I find a memorandum which I have before me——

Mr. CARAWAY. I myself have one.

Mr. REED of Pennsylvania. I think the Senator from Arkansas said he was a colored soldier, who was allowed to die on the street.

Mr. CARAWAY. I think the doctor, from his own means, had him placed in a charity ward in a hospital.

Mr. REED of Pennsylvania. Does not the Senator understand that the law does not permit the Veterans' Bureau to take men who are suffering from disabilities that are not connected with service? Under the law as Congress passed it, the Veterans' Bureau hospital has no right to admit a soldier under such circumstances.

Mr. CARAWAY. Of course, it is interesting to hear the Senator from Pennsylvania say that, but that was not the reason the Veterans' Bureau gave to me. I have the director's letter here, and I shall be glad to put it in the RECORD, stating that if it had been known he was in as bad shape as he was it would have taken care of him, but inasmuch as it did not think he was very sick it let him go. That was the excuse, but now the Senator has a new idea which was never advanced in the correspondence.

Mr. REED of Pennsylvania. It is not anything new; I assumed that everybody knew it; but in the law we have recently passed we have allowed hospitalization to all such veterans. But, Mr. President, will the Senator from Arkansas yield to a question?

Mr. CARAWAY. Of course; I shall be delighted to do so.

Mr. REED of Pennsylvania. I understand that this man Young went to a private hospital to be operated on for hemorrhoids and died there of pneumonia, and that there was no possible connection between his service and his illness.

Mr. CARAWAY. That just happens not to be the fact. I know the Senator from Pennsylvania thinks he is dealing with the facts, but those do not happen to be the facts in the case at all.

Mr. REED of Pennsylvania. I asked it as a question, and I was told by the bureau that such was the fact.

Mr. CARAWAY. The bureau is telling the Senator something entirely different from what it told me, but what is the use of wrangling about it? I am perfectly willing that the Senator shall apologize for the bureau at any time.

I will refer again to the case that was mentioned a moment ago, in which the bureau said it was waiting for The Adjutant General's report. The Senator says that that was the work of an irresponsible, ignorant clerk. The case of Gilles was not the fault of an ignorant clerk. Mulhearn was the man who wrote me the letters, and a man named Smith called me up to talk to me about it, and said he was the head of the legal department. There is the Baker case, where the bureau is refusing to pay Mrs. Baker and her children, although every penny the Government claimed that Baker owed on his insurance was paid before he died; there is another case where it is holding up an insurance policy because, after auditing the account, it says 7 cents is owing to the Government, and the bureau wants to beat the heirs out of $5,000 because of that.

Of course, such economies as that may meet the entire approval of the director of the bureau and his apologist, the Senator from Pennsylvania. I had an idea that I would burden the RECORD with some other matters, but I will not do so. A large number of such cases have come to me, and I do not know that more have come to me than to other Senators. Take the Whittington case; that illustrates one of the economies the bureau effected. Whittington was cited for bravery in action. He was helpless and was receiving $80 a month for total disability, but his allowance was reduced to $8 a month.

Another man, with a silver star, is to-day cooking in a boarding car on a railroad because he is so crippled physically that he can not do the work men ordinarily do. He was a strong, healthy man when he went to France; on one occasion he brought in unassisted 12 German prisoners; he was decorated, as I have said, with a silver star. He is now cooking in a camp because he is physically disabled to do the work a man prefers to do, and his compensation has been reduced from $80 to $8 a month. Yet these are the economies which they are practicing in the bureau, but when it comes to raising the salaries of employees of the bureau, what has been done? Take Mulhearn, for instance, who in 1920 got $4,000, and who gets $7,500 now. There is no economy there. Take another employee who went in in 1923 at $6,000, and on January 16, 1924, got a raise to $6,600, and on February 1, 1924, just 14 days later, was increased to $7,200. Take another man who was appointed at $3,000 in 1919; raised in 1920; raised in 1920 again; raised on February 16, 1921, to $4,000; and on October 1, 1921, to $4,500; on June 1, 1922, to $6,000; and on January 1, 1924, to $7,500. That is the economy that is practiced in the administration of the bureau—a constant increase month after month of salaries until six and seven thousand dollars are paid. However, when it deals with a disabled soldier who shed his blood on the fields of France, his compensation is cut from $80 to $8 a month, and he is compelled to become a cook because he is physically unable to do anything. That sort of economy I can not indorse.

Mr. WARREN. Has the Senator concluded?

Mr. CARAWAY. Yes; I have concluded.

Mr. ODDIE. Mr. President, will the Senator from Wyoming yield to me for a moment?

The PRESIDING OFFICER (Mr. LADD in the chair). Does the Senator from Wyoming yield to the Senator from Nevada?

Mr. WARREN. I yield.

Mr. ODDIE. Mr. President, referring again to the statement made by the Senator from Pennsylvania with regard to the New York cases, I secured those cases on request I made to the director from, as I understand, the files of the legal division of the Veterans' Bureau, and I received no papers from the Department of Justice.

The statements that I made in my remarks on Thursday I believe to be correct. I refer anybody to those statements, and I stand here to reiterate them. My whole concern and that of the Senator from Pennsylvania is to improve the condition of the disabled men. I may have something to say later on this subject, but I want to keep the discussion of this question on a high plane, as it has been kept and debate questions that should be debated that relate to the disabled ex-service men that are of interest to the whole American people.

LEGISLATIVE APPROPRIATIONS

Mr. WARREN. I ask that the Senate resume the consideration of the appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9429) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes.

Mr. WARREN. I ask that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "office of the Vice President," on page 2, at the beginning of line 3, to insert "assistant clerk, $2,080"; and at the end of the same line to strike out "assistant clerk, $2,080," so as to read:

Salaries: Secretary to the Vice President, $4,200; assistant clerk, $2,080; clerk, $1,940; messenger, $1,310; in all, $9,530.

The amendment was agreed to.

The next amendment was, under the heading "office of secretary, document room," on page 3, line 4, before the word "two," to insert "second assistant, in lieu of employee heretofore paid under Senate Resolution No. 90, $2,100," and at the end of line 5 to strike out "$11,440" and to insert "$13,540," so as to read:

Salaries: Superintendent, $3,500; first assistant, $2,880; second assistant, in lieu of employee heretofore paid under Senate Resolution No. 90, $2,100; two clerks, at $1,770 each; skilled laborer, $1,520; in all $13,540.

The amendment was agreed to.

The next amendment was, under the subhead "Committee employees," on page 5, line 20, after the words "assistant clerk," to strike out "$1,080" and to insert "2,040," so as to fix the compensation of the assistant clerk to the Committee on Public Buildings and Grounds at $2,040.

The amendment was agreed to.

The next amendment was, on page 6, at the end of line 7, to increase the total appropriation for committee employees of the Senate from "$367,970" to "$368,170."

The amendment was agreed to.

The next amendment was, under the heading of "Office of the Sergeant at Arms and Doorkeeper," on page 7, line 3, before the word "stenographer," to strike out "storekeeper, $2,740" and to insert "Deputy Sergeant at Arms and Storekeeper, $3,600."

The amendment was agreed to.

The next amendment was, on page 7, at the end of line 19, to increase the total appropriation for the Office of Sergeant at Arms and Doorkeeper from "$195,695.30" to "$196,555.30."

The amendment was agreed to.

Mr. ASHURST. Mr. President, I wish to ask the chairman of the committee in charge of the bill whether it is the desire to consider the committee amendments first?

Mr. WARREN. It is.

Mr. ASHURST. I have an amendment, but as it is to the text of the bill I shall have to wait and present it later.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Folding room," on page 8, line 2, after the word "Superintendent," to strike out "$1,940" and to insert "$2,400," and at the end of line 4, to strike out "$24,280" and to insert "$24,740," so as to read:

Salaries: Superintendent, $2,400; foreman, $1,940; assistant, $1,730; clerk, $1,520; folders—seven at $1,310 each, seven at $1,140 each; in all, $24,740.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent Expenses of the Senate," on page 8, line 15, to increase the appropriation for driving, maintenance, and operation of an automobile for the Vice President from "$3,000" to "$3,500."

The amendment was agreed to.

The next amendment was, on page 9, at the end of line 3, to increase the appropriation for miscellaneous items, exclusive of labor, from "$100,000" to "$125,000."

The amendment was agreed to.

The next amendment was, on page 9, at the end of line 9, to strike out "$100,000" and to insert "$200,000," so as to make the paragraph read:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, $200,000.

The amendment was agreed to.

The next amendment was, on page 9, at the end of line 18, to strike out "$30,000" and to insert "$35,000," so as to make the paragraph read:

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate under the supervision of the Committee on Rules, United States Senate, $35,000.

The amendment was agreed to.

The next amendment was, on page 15, under the subhead "Office of doorkeeper," in line 19, after the word "session," to insert "including," so as to read:

Forty-one pages, during the session, including 10 pages for duty at the entrances to the Hall of the House, at $3.30 per day each, $16,371.30.

The amendment was agreed to.

Mr. WARREN. Mr. President, I have here an amendment that the House has asked me to offer.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 18 it is proposed to strike out lines 25 and 26, and on page 19 it is proposed to strike out lines 1 to 3, inclusive, and to insert in lieu thereof the following:

For furniture and repair of furniture for the House Office Building, including floor coverings and bookcases, $7,500.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "Joint Committee on Printing," on page 20, line 23, after the figures "$2,490," to strike out "stenographer, $1,740," and to insert "assistant clerk and stenographer, $2,100," and on page 21, line 1, after the words "in all," to strike out "$9,830" and to insert "$10,190," so as to read:

For clerk, $4,000; inspector, under section 20 of the act approved January 12, 1895, $2,490; assistant clerk and stenographer, $2,100; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $10,190, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

The amendment was agreed to.

The next amendment was, on page 21, line 4, to strike out "legislative drafting service" and to insert "office of legislative counsel," so as to make the heading read:

Office of legislative counsel.

The amendment was agreed to.

The next amendment was, on page 21, line 6, after the words "of the," to strike out "legislative drafting service" and to insert "office of legislative counsel," and at the beginning of line 9 to insert "as amended by the revenue act of 1924," so as to read:

For salaries and expenses of maintenance of the office of legislative counsel, as authorized by section 1303 of the revenue act of 1918 as amended by the revenue act of 1924, $40,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

The amendment was agreed to.

The next amendment was, under the subhead "Capitol Building and Grounds," on page 23, at the end of line 15, to strike out "$72,368" and to insert "$81,368," so as to read:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $81,368.

The amendment was agreed to.

The next amendment was, under the subhead "Printing and binding," on page 29, at the end of line 13, to increase the appropriation for printing and binding for the Library of Congress, including the copyright office and the publication of the Catalogue of Title Entries of the Copyright Office, binding, rebinding, and repair of library books, and for the Library Building, from "$225,000" to "$250,000."

The amendment was agreed to.

The next amendment was, in section 2, on page 36, line 24, after the word "maintenance," to strike out "storage," so as to make the section read:

SEC. 2. No part of the funds herein appropriated shall be used for the purpose of purchasing by or through the stationery rooms articles other than stationery and office supplies essential to and necessary for the conduct of public business; nor shall any part of such funds be expended for the maintenance or care of private vehicles.

The amendment was agreed to.

The PRESIDING OFFICER. The committee amendments have been disposed of. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. MOSES. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 32, line 7, after the semicolon, it is proposed to insert:

for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding $1,000).

Mr. MOSES. Mr. President, this amendment requires no addition to the sum appropriated under the general items contained in that paragraph. It simply provides that not exceeding $1,000 of the sum of money may be used for the expenses of agents of the Joint Committee on Printing in going to navy yards, cantonments, and various places to inspect the printing material which is there and which under the law may be transferred to and made use of at the Government Printing Office or in some other branch printing office, as provided by statute.

Mr. WARREN. There is no objection to the amendment.

The amendment was agreed to.

Mr. MOSES. Mr. President, I offer a second amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 36, after line 18, it is proposed to insert:

The Public Printer is hereby authorized to close Jackson Alley in Square 624, between G and H Streets, NW., in the District of Columbia, to the extent that said alley is abutted on both sides by the property

of the Government Printing Office, and upon the closing thereof the land so embraced shall be transferred to the Public Printer for the use of the Government Printing Office.

Mr. MOSES. Mr. President, in explanation of this amendment I will say that this also involves no expenditure of money. As is well known, the Government Printing Office, and the old Printing Office, which is used as a storage building for supplies and material——

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. MOSES. Certainly.

Mr. ROBINSON. Has the amendment been considered by any standing committee of the Senate?

Mr. MOSES. It has not.

Mr. ROBINSON. Does not the Senator think that the question of closing a street or an alley should be submitted to the Committee on the District of Columbia or some other committee?

Mr. MOSES. Mr. President, this amendment comes to me from the Printing Committee of the House, which, for some reason or other, did not offer it in the House. I will state the conditions as to the property ownership there.

The two buildings—the Government Printing Office and the old Printing Office—cover the whole length of this portion of the alley which it is desired to close, and there are two cross alleys which fully serve the purposes of all the surrounding property in that square. It so happens that in bringing material from the storage warehouse into the Government Printing Office, the Printing Office practically fills up this portion of the alley all day long; and they want to make some better arrangement, so that they can have a freer access.

Mr. ROBINSON. Mr. President, I shall not make any point of order against the amendment, and under the statement the Senator has made it appears to be a proper amendment.

Mr. MOSES. I am quite sure it is.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

The amendment was agreed to.

Mr. ASHURST. Mr. President, I send to the desk an amendment which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 7, line 5, it is proposed to strike out the figures "$1,770," and insert in lieu thereof the figures "$2,100."

On page 7, line 6, it is proposed to strike out the figures "$1,520" where they first appear in said line, and to insert in lieu thereof the figures "$2,100."

On page 7, line 6, it is proposed to strike out the figures "$1,390," and to insert in lieu thereof the figures "$1,800."

So that, if amended, it will read:

Upholsterer and locksmith, $2,100; cabinetmaker, $2,100; three carpenters, at $1,800 each.

Mr. ASHURST. Mr. President, Senators will refer to the bill and see that on page 7, line 5, the man who is the upholsterer and locksmith receives now a salary of $1,770 per annum, the cabinetmaker receives $1,520, while the three carpenters receive $1,390 each. My amendment proposes to increase the compensation along the lines and to the amounts stated in the amendment.

I need not repeat what I said the other day. These men are trained, high-grade workmen. They work at all hours. They prepare these seats. They do the upholstering. They could go into the market and receive $10 per day. They are trained, skillful men. One is an upholsterer and locksmith. He now receives $1,770 per annum. The cabinetmaker is receiving $1,520. The three carpenters each receive $1,390. I am proposing that they be granted an increase. I respectfully challenge any contradiction of my statement that they could leave the Senate and get their $10 per day and not work as much as they do now.

It seems to me that at this time, when the cost of living is so high, we are increasing everybody's wages but the carpenters. The amendment means that the carpenters will receive $150 a month. It means that the cabinetmaker and the upholsterer and the locksmith will receive $175 a month under my amendment; and I hope the distinguished chairman of the committee will see his way clear to accept it and let it go to conference. The chairman of the committee knows these men probably as well as I do, and I think he will vouch for the excellent character of their work.

That is all I care to say.

Mr. WARREN. Mr. President, I can vouch for the work of these men, and I want to say to the Senator that that matter will receive attention at some time; but I do not think we ought to put the amendment on this bill, because these are all classification rates, which have to be gone over with more time and more care. We have done nothing of the kind in the bill so far, and the bill is now finished as far as committee amendments are concerned.

I hope the Senator will not ask me to consent to the amendment. In fact, I can not consent to it. I agree perfectly that these men are in every way good, and, as the Senator says, they could get more by the day; so could many of us; but, of course, these are steady jobs, and they have had them a good while. We have raised their compensation considerably, and my judgment is that in due course they will receive more. I explained the situation to them a few days ago when they came to us; but the bill had already been considered, so I ask that the Senator will not press the amendment now.

Mr. TRAMMELL. Mr. President, I very much hope this increase will be granted at this time. There has been more or less rearranging of the salaries of employees connected with the Capitol, and I dislike very much not to see the carpenters get some little increase at this time.

I hope it will not complicate matters to have the amendment adopted, and let it be considered by the conference committee. I am heartily in favor of the amendment, and would like to see prompt action upon it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arizona.

Mr. WARREN. I hope it will not be agreed to.

On a division, the amendment was rejected.

Mr. McCORMICK. Is the bill now open to amendment?

Mr. WARREN. It is.

Mr. McCORMICK. On page 6, lines 22 and 23, following the words "Assistant Doorkeeper," I move to strike out "$4,200" and to insert "$5,000."

Mr. WARREN. I hope the Senator will not undertake now to have that kind of an amendment put on the pending bill. The bill has been built in accordance with the classification we have adopted, and if it were opened up to this kind of an amendment, every Senator who has some one whose salary he wants increased will propose an amendment along that line.

Mr. McCORMICK. If the Senator will bear with me for a moment, I have two amendments in mind, to make the salaries of the Assistant Doorkeeper and the Acting Assistant Doorkeeper $5,000, and of the two floor assistants $4,000. Senators very well know the responsibility which those four officers of the Senate bear.

Mr. ROBINSON. Mr. President, will the Senator yield to a question?

Mr. McCORMICK. I yield.

Mr. ROBINSON. There must be some proportion maintained with respect to the salaries of the Senate employees. The clerks at the Secretary's desk are in attendance in the Senate all the time. The journal clerk of the Senate, for instance, receives only $3,600, and this bill does not increase his salary. A slight increase was made last year.

In no sense depreciating the value of the services performed by the Assistant Doorkeeper and the Acting Assistant Doorkeeper, in view of the salaries paid to the journal clerk and to the reading clerk as compared with the salaries which the Assistant Doorkeeper and the Acting Assistant Doorkeeper are now receiving, I suggest to the Senator from Illinois that there already exists a disproportion, and if increases are to be made, increases in the salaries of these clerks should first be agreed to.

I have been told that it will not be practicable in this bill to enter upon a policy of general increases, and the Senate seems to have taken that view of the matter. I have refrained from presenting matters which I think the evidence justifies if we are to enter upon the policy of increasing the salaries of Senate employees generally. I do not wish to put myself in the attitude of objecting to the increases the Senator proposes.

Mr. McCORMICK. Certainly, if the Senators who have given this matter such study as the Senator from Arkansas appears to have given it insists upon the view that the amendment which I have offered is not in consonance with the whole bill, and that it will bring forward other amendments to redress the balance, as it were, I shall not press my amendment.

Mr. ROBINSON. I do not ask the Senator not to press his amendment. I am submitting a statement of facts, which I think the Senator himself will find beyond a question to be accurate. Of course, the Senator is at liberty to pursue whatever course he desires in regard to the matter, but I do think that in proposing increases of salaries of Senate employees Senators should look into the merits of the proposals and have due consideration for the salaries which they are proposing to increase as compared with other salaries.

The journal clerk of the Senate, who receives $3,600 a year, performs more work and is at his desk oftener and is a more valuable clerk than perhaps any other employee of the Senate, and I see Senators about me nodding all the while I make the statement.

If the Senator thinks that it is wise to open up this question of increases in salaries generally and pay the Assistant Doorkeeper and the Acting Assistant Doorkeeper $5,000, it will make necessary a revision of the salaries of all the Senate employees, and my information is that the employees involved have not requested it.

The PRESIDING OFFICER. Does the Senator withdraw his amendment?

Mr. McCORMICK. I will not press it.

Mr. McKELLAR. What was the Senator's amendment? I was out of the Chamber when he offered it.

Mr. McCORMICK. I had proposed, on page 6, lines 22 and 23, to increase the salaries of the Assistant Doorkeepers and their assistants, but in the light of the objections raised I shall not press the amendment.

Mr. WARREN. I thank the Senator for withdrawing the amendment.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

TUITION OF INDIAN CHILDREN IN PUBLIC SCHOOLS

The PRESIDING OFFICER (Mr. LADD in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 4835) to pay tuition of Indian children in public schools, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HARRELD. I move that the Senate insist on its amendment, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. HARRELD, Mr. CURTIS, and Mr. KENDRICK conferees on the part of the Senate.

POTEAU RIVER DAM

Mr. HARRELD. I move to reconsider the vote by which the bill (S. 601) granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River, was passed day before yesterday. I do not care to press the motion at this time, but I must make it within two days. I therefore enter the motion and give notice that I shall ask for action upon it later.

The PRESIDING OFFICER. The motion to reconsider will be entered.

Mr. HARRELD. As the bill has been sent to the House, I move that the House be requested to return the bill to the Senate.

The motion was agreed to.

SOUTH BRANCH OF CHICAGO RIVER

Mr. McCORMICK. Mr. President, I ask unanimous consent for the present consideration of Senate bill 3188, Order of Business 719. If it leads to any debate, of course I will not ask for any further consideration of it.

I will describe the measure briefly as a bill to authorize the Secretary of War to close a bend or branch of the Chicago River when the city has canalized a short cut straightening the river. It is a measure which the Secretary of War himself has approved, and which is unanimously supported by the representatives of the city government and of the city in the Congress.

Mr. OVERMAN. Let it be read, Mr. President.

The reading clerk read the bill (S. 3188) for the abandonment of a portion of the present channel of the south branch of the Chicago River, as follows:

Whereas the city of Chicago has requested a permit of the Secretary of War to straighten the south branch of the Chicago River between West Polk Street and West Nineteenth Street in the city of Chicago as a part of a project which comprises the construction of a new channel and the abandonment of the old channel between said West Polk Street and said West Nineteenth Street, as shown on drawings transmitted by the city of Chicago to the Secretary of War in connection with the aforesaid request for a permit and which are on file in the office of the Secretary of War; and

Whereas it is proposed to fill up and abandon a portion of the present channel of the south branch of the Chicago River between said streets as soon as said new channel shall have been constructed: Therefore

Be it enacted, etc., That as soon as the city of Chicago, or any other governmental agency or any corporation thereunto duly authorized by the Secretary of War, shall have constructed a new channel for the south branch of the Chicago River between West Polk Street and West Nineteenth Street in said city of Chicago, then, and in that event, so much of the present channel of the south branch of the Chicago River as shall be superseded and replaced by said new channel in accordance with the permit of the Secretary of War shall be discontinued and abandoned.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The principal clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Fernald	Ladd	Robinson
Ashurst	Ferris	La Follette	Sheppard
Bayard	Fletcher	Lenroot	Shields
Borah	Frazier	Lodge	Shipstead
Brandegee	George	McCormick	Smith
Brookhart	Glass	McKellar	Smoot
Broussard	Gooding	McKinley	Stanley
Bursum	Harreld	McNary	Stephens
Cameron	Harris	Moses	Sterling
Capper	Harrison	Neely	Swanson
Caraway	Heflin	Norbeck	Trammell
Colt	Johnson, Calif.	Oddie	Wadsworth
Couzens	Johnson, Minn.	Overman	Walsh, Mass.
Cummins	Jones, N. Mex.	Phipps	Walsh, Mont.
Curtis	Jones, Wash.	Pittman	Warren
Dale	Kendrick	Ransdell	Watson
Dial	Keyes	Reed, Mo.	Weller
Dill	King	Reed, Pa.	

Mr. McNARY. The senior Senator from Nebraska [Mr. NORRIS] is unavoidably absent on official business.

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, there is a quorum present.

REGULATION OF CHILD LABOR

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, House Joint Resolution 184.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. BAYARD. Mr. President, I desire to submit a few remarks upon the pending joint resolution.

Mr. LENROOT. I call the attention of the Senator from Delaware to the fact that when we adjourned Thursday evening I was making some remarks upon the joint resolution. I had concluded some general observations and inquired whether it was the desire to adjourn, and stated that if it was I would not perhaps be able to finish that evening, and therefore yielded the floor with the understanding that I was to continue to-day. Of course, technically, the Senator is entitled to the floor, but I was in the midst of some remarks and I supposed I would be recognized immediately when the unfinished business was laid before the Senate to-day. It was so understood.

Mr. BAYARD. Let me read the RECORD for the benefit of the Senator. The Senator's speech winds up in this way:

I did intend to discuss the measure in some other aspects, but it would take me some time, and I would a little prefer not to go on to-night.

Mr. LENROOT. That is exactly the language I used.

Mr. BAYARD. Then follows a whole column of procedure by the Senator and no statement made by the Senator from Wisconsin that he desired to retain the floor or intended to resume his remarks at another time, nor does it appear that he agreed to cease from his remarks that a motion might be put for adjournment or anything of the kind. While I would like to grant the Senator every courtesy, I do not admit that the RECORD discloses that my insistence upon keeping the floor at this time would be discourteous.

Mr. LENROOT. Of course, if the Senator insists upon it, very well; but it was understood by every Senator that I had not concluded my speech.

Mr. CURTIS. I should like the attention of the Senator from Delaware. The Senator from Wisconsin yielded to me to enable me to move an executive session.

Mr. BAYARD. May I ask the Senator if he will yield the floor to me at the conclusion of his address?

Mr. LENROOT. As far as I have the power to do so, I will yield as the Senator suggests.

Mr. BAYARD. I do not mean to be discourteous to the Senator. Do not misunderstand me in that way.

Mr. LENROOT. Oh, no; but may I say to the Senator that two speeches of some length have been made in opposition to the amendment, one very long one by the Senator from New York [Mr. WADSWORTH], and thus far no speeches, except the remarks I made on Thursday, have been made in favor of it.

Mr. BAYARD. Could the Senator tell me how long he will take to conclude his remarks?

Mr. LENROOT. If I am not interrupted, I expect to conclude in 30 minutes, certainly not to exceed an hour. I shall ask not to be interrupted except for questions.

Mr. BAYARD. Very well. I yield the floor to the Senator.

Mr. LENROOT. I thank the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed.

Mr. LENROOT. Mr. President, when I yielded the floor Thursday evening I had been making some general observations with regard to the obligations of the two great political parties respecting the question that is now before the Senate. I read from the platform of the Republican Party expressly pledging the party to legislation of this character, and I also read the plank in the platform of the Democratic Party in making a like pledge. I have just one observation to add to what I said with respect to the matter, and that is that while I do not claim to have the gift of prophecy, yet I know that the Republican Convention at Cleveland, whether the amendment be defeated or whether it shall be agreed to, will contain a plank expressly committing the party to the constitutional amendment and pledging its support. I do not know what action the Democratic Party may take upon the subject, but I venture to say that the Democratic Convention at New York will also have an express pledge in favor of such an amendment or it will suffer to the extent of half a million votes and the Republican Party will be the gainer thereby, because let it not be forgotten that the women of America regard this question as one of the major questions before the American people to-day.

Mr. President, is the amendment necessary? The Senator from Delaware [Mr. BAYARD] the other day undertook to suggest that while the promises of the two great parties in 1920 might have been well founded at that time, conditions have so greatly improved since that time, or facts have been disclosed since that time, making it apparent that the amendment was no longer necessary. Upon that point Senators are aware that there meet in annual convention State officials representing the activities of the respective States upon labor questions. Not all of the States are represented, but many of them are. In the 1918 convention this declaration was made:

> That this convention hereby expresses the firm conviction that it is to the best interests of the Nation that an adequate Federal child labor law providing for prompt and effective enforcement be speedily enacted by Congress.

At that convention there were represented the States of Arizona, Colorado, Connecticut, Iowa, Kansas, Michigan, Missouri, Nebraska, North Carolina, Rhode Island, South Carolina, Utah, Washington, and Wisconsin. In 1923 a similar convention was held—the year 1923, when the Senator from Delaware stated that the facts now available disclose that the amendment is no longer necessary. In the convention held on May 4, 1923, just a year ago, this declaration was adopted:

> Whereas recent decisions of the Supreme Court in child labor and minimum wage laws for women seem to justify the opinion that constitutional amendments are necessary to make such laws constitutional: Therefore be it
>
> *Resolved*, That this association favors and urges the incoming Congress of the United States to submit constitutional amendments upon these subjects.

At that convention there were represented 21 of the States, as follows: Arkansas, Connecticut, Delaware, Georgia, Illinois, Louisiana, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Virginia, West Virginia, and Wisconsin. So, Mr. President, the State officials of the 21 States are evidently of the opinion still that the amendment is necessary in order properly to regulate the subject.

I am sorry the Senator from Delaware [Mr. BAYARD] has left the Chamber, for we have at least some evidence from the little State of Delaware that the amendment is still regarded as necessary in that State. I read from the Wilmington (Del.) News of January 10, 1923, as follows:

> The number of children between 14 and 16 years of age granted employment certificates during the year 1922 increased 252 compared with the number for the year 1921, according to the report made by Charles A. Hagner, State child labor inspector, at the annual meeting of the State labor commission in their offices in the Du Pont Building yesterday afternoon. During 1922 certificates were issued to 423 children compared with 171 in the previous year. This increase, according to Mr. Hagner's report, resulted from the nullification of the Federal child labor law by the Supreme Court in May.

Mr. President, what are the facts with reference to the existing prevalence of child labor and the necessity for Federal action upon the subject? Senators have been cited to the United States census report and the fact has been emphasized that during the past three decades the evils of child labor have been constantly decreasing. That is so. We are glad that it is so. But aside from the fact that it still is a great evil, aside from the fact that only 18 States of the Union have to-day brought their State standards up to the standards under the Federal laws that were pronounced unconstitutional by the Supreme Court, it is very clear that one reason for the improvement in child-labor standards made by the States themselves was the existence upon the statute books from 1916 to 1918 of the first law, which was then held unconstitutional, and from 1919 to 1922 of the second law, which was then held unconstitutional. During that time the States in a very remarkable degree brought their standards up in harmony with the Federal act.

It is easy to see why that should be so. The constant argument before any State against high standards of child labor is that it would submit the manufacturers of that given State to unfair competition, would penalize them, would handicap them, if that State should raise the standard of child labor and adjoining States should have a lower standard, so that the State having low standards could produce a commodity at less cost than the State having the higher standard. But when the Federal act was in force and when there was cooperation between the Federal and State Governments, no such argument would have any weight, and the States were perfectly willing to bring up their own standards to the Federal standard. In support of that argument I point to the fact that during the interval of time since the Federal child labor tax law was found to be unconstitutional, and therefore not upon the statute books, not one State brought its own State standards up to the standards embodied in the Federal act.

What is the situation with reference to child labor? We are told there were only a little over a million children between the ages of 10 and 15 years who were engaged in gainful occupations when the census was taken in 1920. That was a very great reduction; a reduction of about 46 per cent over the census of 1910; that is encouraging, Mr. President; but two things must be borne in mine as accounting, in part, for that result.

One of them is that about 600,000 of those children fell into the classification of agricultural pursuits; and in 1920 the time of the taking of the census was changed from April, the date when it had previously been taken, to January, so that, unlike the census of 1910, the census of these children in 1920 was taken in January, at a time when a very much smaller proportion or percentage of children was engaged upon the farms than there would be after the school year. With reference to nonagricultural pursuits, also, we all know that the winter season is the slack season, and that there would always be a lesser number employed, either men, women, or children, in January than there would be in April or May or June.

However, granting all that, Mr. President, there were still in 1920, 413,549 children between the ages of 10 and 15 years who were engaged in nonagricultural pursuits. More than 50,000 of them, Mr. President, were working in the textile industries of this country at that time. I ask unanimous consent to place in the RECORD a table taken from the census report showing by occupations, in so far as the census has covered the occupations, the various occupations of those 413,549 children.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table is as follows:

Number and per cent distribution, by occupation, of children 10 to 15 years of age, inclusive, engaged in selected nonagricultural pursuits, for the United States, 1920 [1]

Occupation	Number	Per cent distribution
All nonagricultural pursuits	413,549	100.0
Messenger, bundle, and office boys and girls [2]	48,028	11.6
Servants and waiters	41,586	10.1
Salesmen and saleswomen (stores) [3]	30,370	7.3
Clerks (except clerks in stores)	22,521	5.4
Cotton-mill operatives	21,875	5.3
Newsboys	20,706	5.0
Iron and steel industry operatives	12,904	3.1
Clothing-industry operatives	11,757	2.8
Lumber and furniture industry operatives	10,585	2.6
Silk-mill operatives	10,023	2.4
Shoe-factory operatives	7,545	1.3
Woolen and worsted mill operatives	7,077	1.4
Coal-mine operatives	5,850	1.8
All other occupations	162,722	39.7

[1] Fourteenth Census of the United States, 1920: Children in Gainful Occupations not yet published; figures furnished by courtesy of United States Bureau of the Census).

[2] Except telegraph messengers.

[3] Includes clerks in stores.

Eighty-eight per cent of the children engaged in agricultural pursuits in 1920 were employed on the home farm.

Mr. ROBINSON. Mr. President, may I ask the Senator from Wisconsin a question?

Mr. LENROOT. Yes.

Mr. ROBINSON. How long was it after the act went into effect before the Supreme Court decision in the Hammer case, holding the act unconstitutional, was rendered?

Mr. LENROOT. The first case was that of Hammer against Dagenhart. The act was passed in 1916, became effective in 1917, and was found to be unconstitutional in 1918. The next act went into effect in 1919, and was found to be unconstitutional in 1922.

Mr. ROBINSON. So that the first child labor act which Congress passed—the one which did not invoke the taxing power but undertook to deal with the products of child labor in commerce—and which was finally held to be unconstitutional, was actually in force for approximately two years. Was there any widespread complaint in the country that it proved to be oppressive?

Mr. LENROOT. I heard of none, and I do not think anyone else heard of any, except that there was some complaint on the part of some of the textile manufacturers of the United States.

Then, Mr. President, when we are told that this situation is so rapidly improving that there is no reason for Federal action, let us see just how much the decrease in child labor has been. Speaking of children from 10 to 15 years of age who were engaged in nonagricultural pursuits in 1880, there were 396,504; in 1890 there were 686,213; in 1910 there were 557,797; and in 1920 there were 413,549. So, giving the opposition the benefit of every doubt, there was during the previous 10-year period a reduction of about 25 per cent, saying nothing about the time of the year the census was taken, saying nothing about the influence of the Federal act which was then upon the statute books and which had not at that time been found unconstitutional by the Supreme Court.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LENROOT. Yes.

Mr. FLETCHER. The Senator from Wisconsin has made a comment that both political parties had made pledges in their platforms to sustain this proposition. I find in the Republican platform that the pledge was:

> The Republican Party stands for a Federal child labor law and for its rigid enforcement. If the present law be found unconstitutional or ineffective, we shall seek other means to enable Congress to prevent the evils of child labor.

The Democratic platform states:

> We urge cooperation with the States for the protection of child life through infancy and maternity care; in the prohibition of child labor and by adequate appropriations for the Children's Bureau and the Women's Bureau in the Department of Labor.

Neither of those platforms pledges the parties to a constitutional amendment, which is quite a different proposition.

Mr. LENROOT. Let us see whether they do or not. The Republican platform indorsed the child labor law then upon the statute books, and stated that if it should be found unconstitutional the Republican Party would seek other means by which to accomplish the same object. There is only one other means that can accomplish the object now since the decision of the Supreme Court has been rendered, and that is by a constitutional amendment. The platform of the Senator's own party, the Democratic Party, "urged cooperation with the States for the protection of child labor through infancy and maternity care." In view of the decision of the Supreme Court holding Congress to be without power to pass such an act, how can the Congress of the United States cooperate with the States in the prohibition or regulation of child labor except through a constitutional amendment?

Mr. FLETCHER. Mr. President, this proposal is to permit the Federal Government to take entire control of the situation; it is not to cooperate with the States, but it is to supersede the States.

Mr. LENROOT. No; it is cooperation, because the amendment does not deny to the States any power that the States may choose to exercise so long as they do not conflict with the Federal legislation in harmony with the amendment.

Mr. FLETCHER. But I call the Senator's attention to the fact that section 2 of the proposed amendment states that the State laws shall be suspended if they conflict with any laws enacted by Congress.

Mr. LENROOT. Yes; if they conflict with such laws.

Mr. FLETCHER. There is no cooperation there.

Mr. LENROOT. Speaking about cooperation, we will suppose, if you please, that this proposed amendment becomes a part of the Constitution, and Federal legislation is enacted prohibiting, we will say, a child under 14 years of age from working in a factory. That will not prevent the State of Florida or any other State, if it chooses to do so, from passing a law to prohibit any child under 16 years of age working in a factory. Is not that cooperation? Of course it is.

Mr. President, I said that the number of children gainfully employed had been reduced to 413,000 under the circumstances that I have mentioned and according to the census of 1920, but the last child labor act was found unconstitutional in May, 1922, and some surveys have been made as to conditions since the census of 1920.

The Secretary of Labor has reported that figures secured by the Children's Bureau of the Department of Labor indicate that since the middle of 1922 the number of children between 14 and 16 going to work has steadily increased, and that the decrease in the employment of such children during the industrial depression of 1920 and 1921 was only a temporary one. In 1921, out of 35 cities furnishing statistics to the Children's Bureau, more children under 16 years of age were given permits to go to work in 1922 than in 1921, and in 29 out of 34 cities more children received permits for 1923 than in 1922. In these 34 cities——

Mr. BAYARD. Mr. President——

Mr. LENROOT. I yield to the Senator from Delaware.

Mr. BAYARD. May I ask the Senator if the figures he is reading give the number in detail and show at what period of the year the permits were issued and whether it was during the school year or otherwise?

Mr. LENROOT. I have not those figures.

Mr. BAYARD. I thought not

Mr. REED of Missouri. Mr. President, may I ask the Senator a question?

Mr LENROOT. I yield.

Mr. REED of Missouri. I ask whether, in every instance where permits have been given under State laws, it is not required that there shall be special reasons shown to some board, bureau, or officer that passes upon the necessities of the case?

Mr. LENROOT. Not in all cases; no, sir.

Mr. REED of Missouri. Is not that the general rule?

Mr. LENROOT. I think that may be said to be the general rule.

Mr. REED of Missouri. Is it not the rule in every case where it is necessary to have a permit?

Mr. LENROOT. I think not. I think there are some States where some board is given plenary power to issue permits, and they are merely required to be satisfied that the permit is proper.

Mr. REED of Missouri. Exactly; but in every case there is the guardianship of some official board thrown around the employment of the child when he gets a permit; otherwise there would be no necessity for a permit.

Mr. LENROOT. I wish to correct my answer to the Senator from Delaware when he inquired with reference to whether the permits were issued during the school year. I will say the comparison is made for the entire year 1922 with the entire year 1923, so that it would include both the school year and the vacation.

Mr. REED of Missouri. May I ask the Senator a further question?

Mr. LENROOT. I yield.

Mr. REED of Missouri. What proportion of the children that the Senator has named who were employed in gainful pursuits were working in factories?

Mr. LENROOT. Of the 413,000 that I have named over 50,000 were working in textile mills.

Mr. REED of Missouri. All of the year or only part of the year?

Mr. LENROOT. I do not know. The statement is taken from the census report as to children employed in gainful occupations.

Mr. REED of Missouri. Exactly; and it gives no information as to how many hours a day they were employed or the period of the year during which they were employed.

Mr. LENROOT. No; but I do know, Mr. President—and Senators may examine the table put in the RECORD by the Senator from New York [Mr. WADSWORTH]—that in some States children of 15 years of age are permitted to work——

Mr. REED of Missouri. And they certainly ought to be permitted to work.

Mr. LENROOT. Let me finish my sentence—in factories 11 hours a day and 60 hours a week.

Mr. REED of Missouri. I will undertake to ask the Senator to furnish us some details of those figures. I want to ask him, further, if it is not true that the very figures he gives cover a period when the Federal act was presumed to be valid?

Mr. LENROOT. Yes.

Mr. REED of Missouri. So that whatever increase of employment there was occurred under that Federal act with all of its safeguards.

Mr. LENROOT. No; the figures that I was last reading were the figures of increases occurring after the court found the second child labor act unconstitutional.

Mr. REED of Missouri. Well, they were almost inconsequential. A few in each State were given; but the large figure, the one of four hundred and some——

Mr. LENROOT. Let me see whether or not they were inconsequential. In 19 of the cities reporting in 1923 there was an increase over 1922 of at least 20 per cent, and in 9 cities the increase was approximately 50 per cent.

Mr. REED of Missouri. Fifty per cent of what?

Mr. LENROOT. Over that of the previous year, when a part of that year the Federal law was supposed to be effective.

Mr. McCORMICK. Mr. President, will the Senator pardon me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further; and if so, to whom?

Mr. LENROOT. With the permission of the Senator from Delaware [Mr. BAYARD], I will yield just as freely as he is willing to have me.

Mr. REED of Missouri. I just want to have this one proposition cleared up; that is all.

Mr. LENROOT. But I told the Senator from Delaware I would conclude as soon as possible.

Mr. REED of Missouri. The large figure which the Senator gave as to child-labor employment embraced the period which was covered by the Federal act, and therefore the employment must have been in conformity with that act; and it must, therefore, embrace children in those employments where the act did not exclude them, or where the act excluded them only from particular occupations; so it seems to me that that leaves us in this sort of situation——

Mr. LENROOT. In justice to the Senator from Delaware, I can not yield for an argument, unless he is willing to have me do so; then I will.

Mr. REED of Missouri. Well, that is part of the question. Does not that leave us in this sort of situation: The enormity the Senator complains of existed under the congressional child labor act?

Mr. LENROOT. All right. Now, let us actually get the facts.

In 1916 the first child labor law was enacted. It was found unconstitutional, as I recollect, in the spring of 1918. As every Senator knows, that act attempted to regulate the employment of child labor through the interstate-commerce clause, through the prohibition of the transportation in interstate commerce of commodities that were the product of child labor. That act was held unconstitutional in 1918.

In 1919, as I recollect in the latter part of the year, the second child labor law was enacted by Congress, and that undertook to regulate through the taxing power. In the first place, the administration of the first act had completely ceased, because for a period of nearly two years the law had been found to be unconstitutional. With reference to the enforcement of the second act, when the 1920 census was taken, the force and effect of that act was because of its being upon the statute books, but the Government's administrative officials had not yet had the time or the opportunity to enforce it, because it had just barely gone into effect when this census was taken.

Mr. McCORMICK. Mr. President, may I ask the Senator from Wisconsin a question?

Mr. LENROOT. Yes.

Mr. McCORMICK. Is it not true that during the decade 1910 to 1920, despite the unusual incentive to employ child labor, there was a very great diminution, as far as the return of the census showed, in child labor employed?

Mr. LENROOT. Yes; 25 per cent for nonagricultural occupations.

Mr. McCORMICK. If the Senator will allow me to continue a moment, it is the most amazing thing that during that period, when the demand for labor was greater than it had ever been in the history of the country, when the employment of adults, especially women, incidental to the war increased, the employment of children decreased not only relatively but actually.

Mr. LENROOT. Now, Mr. President, I must go on, and I must request that I be not interrupted except for a question, because I do want to assist the Senator from Delaware in getting the floor this afternoon.

Mr. REED of Missouri. Will the Senator permit an interruption which is pertinent to what he has just said?

Mr. LENROOT. I yield.

Mr. REED of Missouri. The first child labor law was approved on September 1, 1916, and was to go into effect on September 1, 1917. It was declared unconstitutional on June 3, 1918. The second child labor law was approved February 24, 1919. It was declared unconstitutional on May 15, 1922.

Mr. LENROOT. That is right.

Mr. REED of Missouri. So it was in existence from February, 1919, to May, 1922; and that embraces the very period of time covered by the Senator's figures, or approximately covered by them.

Mr. LENROOT. Now, Mr. President, just one other statement regarding this particular point. I want to read from the letter of Secretary of Labor Davis, addressed to the Senator from California [Mr. SHORTRIDGE], dated January 6, 1923. I will read just one paragraph:

> Recent publications of this department show children engaged in industry unprotected by regulations governing wages, hours, and working conditions. Children, according to these publications, were found in oyster and shrimp canneries, some as young as 5 or 6 years—

And let me observe in passing, Mr. President, that if any child—and there were such—under 10 years of age was working in any factory, the census report did not show it.

Mr. REED of Missouri. Mr. President, will the Senator please read that statement again? I could not catch it.

Mr. LENROOT. This was an interpolation. I made the statement that if there were children under 10 years of age working in factories they would not show in the census report.

Mr. REED of Missouri. I heard that. I refer to the paragraph the Senator read about their being unprotected.

Mr. LENROOT. I will read it again:

> Recent publications of this department show children engaged in industry unprotected by regulations governing wages, hours, and working conditions. Children, according to these publications, were found in oyster and shrimp canneries, some as young as 5 or 6 years, working in cold, damp sheds, their hands cut by oyster shells, shrimp thorns, and the knives with which they work. Over 500 boys under the age of 14 years were found to have been employed as breaker boys in the coal industry in violation of several laws, and 137 below the age of 16 were found working underground.

Mr. REED of Missouri. If the Senator will pardon me, the point on which I rose was the statement "Children unprotected by any law." I should like to know the State where laws for the protection of children of tender years are not on the statute books.

Mr. LENROOT. Oh, yes.

Mr. REED of Missouri. As to the rest of the statement the Senator read the employments were clearly violative of statutes, and it is quite as readily to be believed that if we had a Federal statute it might be violated as a State statute.

Every State has a minimum law of 14 years for children in factories—every State of the Union, without an exception.

Mr. LENROOT. I think that is true, but, Mr. President, I make the general statement that any child 15 years of age that is permitted under any State law to work 11 hours a day and 60 hours a week is not protected.

Mr. REED of Missouri. But is there any such law?

Mr. LENROOT. Yes; there is.

Mr. REED of Missouri. Where is the State which has a law that permits a child 14 years of age to work 11 hours a day in a factory?

Mr. LENROOT. I did not say 14. I said 15.

Mr. REED of Missouri. Well, 15?

Mr. LENROOT. They may get a permit.

Mr. REED of Missouri. Oh!

Mr. LENROOT. Is not that permissive?

Mr. REED of Missouri. Under a governmental safeguard, of course, where there is a peculiar condition shown, as, for instance, that a child has no other means of support. What do you want to do—turn him out to starve?

Mr. LENROOT. We will take the case of North Carolina. There children under 14 years of age are prohibited from working. Under certain conditions they may work under 16 years of age, but an employment certificate has to be issued under such conditions as each State welfare commission may prescribe.

Mr. BAYARD. Mr. President, will not the Senator state those conditions?

Mr. LENROOT. Those are conditions made not by the law but by the will of the commission.

Mr. BAYARD. But does not the Senator understand that in those exceptions cases of this kind arise—that they may be in summer time, they may be out of school hours, they may be because of the financial condition of the child or the financial condition of the parents?

Mr. LENROOT. I am reading now: "Under such conditions as certain commissions may prescribe." That is not the fixing of a condition by law.

Mr. OVERMAN. Mr. President, I think if the commission were here I could prove by them that North Carolina has the best child labor law in the United States.

Mr. LENROOT. The Senator from Missouri asked for a case. I will say to the Senator from North Carolina that it may be that you have a commission which, while having authority to permit almost anybody to work between 14 and 16, might be such a commission that they would have the very highest standard and the most tender care for the child.

Mr. OVERMAN. We have a child-welfare commission, presided over by a good woman, and nobody can work who has not been examined by a physician. They are examined before they are allowed to work at all; and, as I say, the law is known to be one of the standard laws of the country.

Mr. LENROOT. The Senator merely corroborates my statement. I am asked with reference to the laws of the States. I say that any law that gives to any commission unconditional authority with reference to the employment of children is not a law that in itself protects the child. It all depends upon the nature and the kind of your commission.

With reference to this State, I find in North Carolina, "Hours of labor under 16 and over 14 when permitted." They may be compelled to work 11 hours a day and 60 hours a week; and there are other States likewise.

So, Mr. President, shall it be said that when we find a condition like this, which does exist; when we find that since this child labor law has been found unconstitutional not a single State of the Union has brought its own standards up to the standards of the Federal act; when we find the fact to be that only 18 States out of the 48 to-day have child-labor standards up to the standards provided for in the Federal act which was found unconstitutional—with those facts staring us in the face, who shall say there is no necessity for Federal action upon this subject?

Now, I want to devote just a few moments to the very able speech made by my good friend the senior Senator from Florida [Mr. FLETCHER] the other day upon this subject. It was not my good fortune to hear the speech, but I read it with great care, as I always do everything the Senator from Florida says. The Senator from Florida is one of the most conscientious, high-minded men in this body, and I was very much amazed at some of the things I found in the able Senator's speech.

As I read the speech it occurred to me that it could not be that the Senator from Florida had given to this question his usual careful thought and his usual sober reflection, for he said some things in it which I am sure upon mature consideration he himself would not approve.

Just in passing, our good friend from Florida undertook to quote Scripture as against this amendment. He quoted from the Bible:

> Six days shalt thou labor and do all thy work.
> Come unto Me all ye that labor.
> The laborer is worthy of his hire.
> The laborer is worthy of reward.

Then he said, "The holiness of labor is to be effaced" by this amendment.

Surely, Mr. President, the able Senator from Florida did not mean, could not have meant, to have the Senate or the country understand that he thought that the working of a child of 15 years of age in a factory 11 hours a day and 60 hours a week was a holy thing.

The able Senator might have quoted some Scripture more to the point, but it would not have been in support of the position he took. Much more to the point, Mr. President, is that saying of the Man of Nazareth:

> Whoso shall offend one of these little ones which believe in me, it were better for him that a millstone were hanged about his neck and he were drowned in the depths of the sea.

Mr. BAYARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Delaware?

Mr. LENROOT. I yield.

Mr. BAYARD. May I suggest to the Senator, while he is quoting incidents from the life of our Savior, that he might also remember the fact that as a boy of 12 Jesus worked in a carpenter shop. He might also recollect the fact, and it is a fact, that He received no detriment from doing so, and He grew up to be the most wonderful man in the world.

Mr. LENROOT. Let me understand, then, the position of the Senator from Delaware. Do I understand the position of the Senator from Delaware to be that because Jesus worked as a carpenter at 12, he is in favor of all boys in the United States——

Mr. BAYARD. I did not say that.

Mr. LENROOT. What is the point of the Senator's argument?

Mr. BAYARD. I was calling the Senator's attention to another incident in our Savior's life; that was all.

Mr. LENROOT. Of course, there could have been but one inference the Senator desired to have drawn from that fact.

Mr. BAYARD. Does not the Senator feel it to be a fact that if our Savior had been handicapped, or felt that He had been handicapped, in His wonderful experience and knowledge, He would have known, when He grew up, whether or not He should warn other little boys from going into carpenter shops, or warn parents from taking little boys into carpenter shops at the age of 12? We find nothing of that kind in the teachings of our Saviour, I am sure.

Mr. LENROOT. I want to ask the Senator a plain question. Does the Senator think that the employment of a boy or girl of 15 years of age in a factory 11 hours a day and 60 hours a week is conducive either to health or to the intellectual and mental development of that child?

Mr. BAYARD. No; not for every boy, and I imagine very few girls. I say that very frankly. That is a question of physical endurance. It is an individual operation entirely. The Senator takes these thousands of figures and undertakes to make us believe, by glossing them over, that the whole operation runs along that basis, when a study of the details shows that is not the fact.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LENROOT. I yield.

Mr. FLETCHER. May I say to the Senator that in my judgment the worst injury that could be inflicted upon the youth of the land, the worst disservice that could be rendered these boys and girls under 18 years of age, would be to prohibit their useful employment and to dictate how the fathers and mothers of the country are to control and manage their children. That is my view of it.

I say that if you prohibit the youth of the country from performing labor until they are 18 years of age they will never perform any labor, and you will add to the number of inmates in the prisons of the country.

Mr. LENROOT. In the first place, I do not know of anyone who proposes to prohibit the labor of all boys and girls under 18 years of age.

Mr. FLETCHER. But this amendment would give the authority to do that very thing.

Mr. LENROOT. I understand; and I will come to that in a moment. In the second place, so far as the Senator's argument that that is a matter for the parents to decide is concerned, I call attention to the fact that the Senator's own State has undertaken to enter that domain. Does he criticize it, does he condemn it, because it interferes with the authority of a parent over the child in that respect?

Mr. FLETCHER. No; I say we should leave the whole question to the State.

Mr. LENROOT. That is another question.

Mr. FLETCHER. Florida has prohibited the labor of children under 14 years of age in factories. They have a State inspector. There is no complaint about the enforcement of the law; and the Constitution places the whole subject in the States.

Mr. LENROOT. But now the Senator is getting off on another branch of this case. He was just talking about the authority of parents and taking from the parents their authority. In the next breath he approves of somebody compelling the parents, if they do not do it voluntarily, to safeguard the health, the morals, and the education of their children.

In that connection, Mr. President, my friend from Florida, in the speech referred to, said:

> The idea of regulating, much less prohibiting, the labor of a person 17½ years of age is absurd.

I find the Senator's own State of Florida prohibits from employment as messengers for telegraph, telephone, or messenger companies, between 10 p. m. and 5 a. m., any child under 18 years of age. Does the Senator say the action of his own State legislature was absurd? I find, further, that his own State of Florida prohibits children under 18 years of age from cleaning machinery while it is in motion. Does the Senator say that the action of his own State of Florida was absurd in that regard? Again, I ask the Senator would he be willing to intrust his life to a boy 17½ years of age as engineer of a passenger train carrying him from here to his home?

Absurd! If it be absurd, then 41 States out of the 48 of the United States have enacted absurd legislation, because 41 of them have regulated in some occupations the labor of children under the age of 18 years.

Mr. President, the most serious criticism I have to make of the able speech of the Senator from Florida is of that portion of his address in which he discussed the decision of the Supreme Court finding unconstitutional the first child labor law in the Dagenhart case. He quotes the court correctly as saying:

> Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce but also exerts a power as to a purely local matter to which the Federal authority does not extend. The far-reaching result of upholding the act can not be more plainly indicated than by pointing out that if Congress can thus regulate matters intrusted to local authority by prohibition of the movement of commodities in interstate commerce, all freedom of commerce will be at an end, and the power of the States over local matters may be eliminated, and thus our system of government be practically destroyed.

Then the Senator proceeds to this observation:

> That is precisely what is proposed to be accomplished by this suggested amendment to the Constitution. If the joint resolution proposing this amendment be passed by Congress by the requisite vote and the amendment be ratified by a sufficient number of States, then we shall see what Justice Day predicted in his opinion—"our system of government will be practically destroyed."

Surely the Senator from Florida would not have the Senate understand that Justice Day, who wrote that opinion, ever intimated for one single moment that if Congress were given the power to regulate or prohibit the employment of child labor our system of government would be destroyed.

What Justice Day did say was that if Congress should be held to have absolute power over all commodities in interstate commerce, should have the right to prohibit in interstate commerce the transportation of any commodity, irrespective of its character, irrespective of its use, then, he said, this system of government would be destroyed, because the Congress would have the power to destroy it. But it had nothing to do with the question of child labor at all. On the contrary, the same Justice Day said:

> That there should be limitations upon the right to employ children in mines and factories in the interest of their own and the public welfare all will admit. That such employment is generally deemed to require regulation is shown by the fact that the brief of counsel states that every State in the Union has a law upon the subject.
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> It may be desirable that such laws be uniform, but our Federal Government is one of enumerated powers; "this principle," declared Chief Justice Marshall in McCulloch against Maryland, "is universally admitted."

Justice Day never intimated for a moment that Federal regulation of child labor would not be desirable. He simply held that the power had not been delegated to the Congress. The amendment proposes to delegate such power to the Congress, and it does nothing more.

While upon this subject let me say that I was one who was much interested in the passage of the first child labor law. I believed at that time that the constitutionality of the act should be sustained under the interstate commerce clause upon the ground that unfair competition existed where one State had very high standards and another State had very low standards, and it would be unfair competition to the State that had high standards to permit its industries to be handicapped and perhaps destroyed through the shipment in interstate commerce of commodities from a State having very low standards. The court discussed it at considerable length, and I want to refer to that for a moment. The court said:

> It is further contended that the authority of Congress may be exerted to control interstate commerce in the shipment of child-made goods because of the effect of the circulation of such goods in other States where the evil of this class of labor has been recognized by local legislation and the right to thus employ child labor has been more rigorously restrained than in the State of production. In other words, that the unfair competition thus engendered may be controlled by closing the channels of interstate commerce to manufacturers in those States where the local laws do not meet what Congress deems to be the more just standard of other States.
>
> There is no power vested in Congress to require the States to exercise their police power so as to prevent possible unfair competition.

I think every lawyer, when he comes to reflect upon it, must concede that the decision of the court was correct in that respect, that while we may have and do have the right to deal with unfair competition in interstate commerce we can not under the power to regulate commerce compel a State to do or refrain from doing anything that is within its power to do. So here again the amendment delegates to the Congress of the United States the power to deal with the subject in the way that the language of the amendment itself provides.

My friend the Senator from Florida [Mr. FLETCHER] paid a very eloquent tribute to the forgotten man, the man who is never heard of, whose name never gets into the press, who goes along his daily way from the cradle to the grave.

A very eloquent tribute it was that the Senator from Florida paid that forgotten man, but I wonder if it occurred to the Senator from Florida that there are some of those forgotten men who are forgotten because at a time when they ought to have had the normal pleasures and duties of youth, when they should have had opportunity for the development of body and mind, they were denied that development, their growth, physically and mentally, was stunted, and they had not the equal opportunity for life that ought to be the fortune of every man and woman, of every boy and girl in the United States.

The only object of the proposed amendment is to pay some attention to the forgotten child of the Nation, to the forgotten child who to-day, either because the law permits it or in violation of law, is denied that opportunity to make the best of his or her life as manhood is attained, is denied the normal pleasures and recreations of children, is denied the opportunity to physically develop the body so that he and others may be men and women physically and mentally of the highest type of citizenship of the country.

That is one of the objects of the legislation. This country, this Federal Government, is interested in the kind of citizenship, the kind we have to-day, the kind we shall have to-morrow, the kind we shall have a quarter of a century hence, because the kind of a government that we shall have 25 years from now depends not upon any of us who are here this afternoon, because nearly all of us then will have passed from the stage of life. The kind of government that we shall have in the United States 25 years from now depends upon the boys and girls who are between the ages of 10 and 16 years to-day. That is the reason why it ought to be and is a matter of Federal concern upon the basis of citizenship.

Mr. President, much has been said about upholding the Constitution of the United States, and I want to take this opportunity to say that I am not one of those who would destroy the Constitution by making laws passed by Congress of equal force as a constitutional provision, with no judicial power to have the right to say whether or not a law passed by Congress is in violation of the fundamental law of the land. But those who would prevent that movement of destroying the Constitution of the United States that they so highly praise to-day can not do it by taking the position that the Constitution was a perfect instrument when framed by the fathers of the Government, that it must not be touched, that it must not be changed, that all wisdom died with the fathers, and that the changing processes of society can not call for any modification, addition, or amendment of that document. On the contrary, I say, sir, that the best friends of the Constitution of the United States are those who, as society progresses, as conditions change, as the years pass, are willing, when amendments are necessary in view of the changed conditions, to do their part to save the Constitution of the United States in all its essentials by favoring amendments that will improve it, but not destroy it.

Mr. President, there was read into the RECORD the other day a letter purporting to give the views of the American Farm Bureau Federation in opposition to the amendment. I called up Mr. Gray Silver, who is the secretary of that federation, an organization which has my highest respect and esteem, an organization which I believe has done perhaps more for farmers, so far as legislation is concerned, than any other farm organization represented here in the Capital. I was amazed to find an expression undertaking to give the attitude of that federation in opposition to the amendment. I called up Mr. Silver and asked if it had ever been submitted to a referendum, and he said it had not. I asked if it had been brought up at their national convention, and he said that it had not.

I undertake to say now that the American Farm Bureau, at least in my section of the country, is heartily in favor of the amendment, and this letter purporting to express the views of the American Farm Bureau does not represent the attitude of the farmers of the Northwest at all. All of the Northwestern States, if the amendment be adopted, will be found ratifying the amendment, practically unanimously. I realize very well that there has been a great deal of propaganda among the farmers of the country trying to make them believe that if the amendment shall be adopted Congress will undertake to prohibit the employment of boys and girls under 18 years of age upon the farm. There is no Senator who seriously thinks that any Congress of the United States would ever for one single moment attempt to enact or even think of legislation prohibiting the labor outside of school hours of children upon the home farm. But an amendment to the Constitution of the United States when ratified is not for to-day, or to-morrow, or next year, alone. An amendment of the Constitution, once ratified and finding a place in the Constitution of the United States, stands as long as this Government stands unless repealed or modified. The time may come half a century hence or 100 years from now when certain forms of our agriculture may be industrialized, where it may be carried on in the same way as to certain forms of agriculture as great industries are now being carried on. When that time comes it may be that the farmers of the United States would be unwilling to meet the competition where great corporations, perhaps with a lowering of the doors of immigration, may employ, not as farmers do their children upon their farms, but in exactly the same way as factories do, little children for a mere pittance of wage, having no interest and having no concern for their welfare. The time may come when the farmer himself may be asking the Congress of the United States to deal with that subject in the interest of the farmer.

Let me say just a few words upon the subject of the age limit of 18 years. If there be any attempt to amend the proposed amendment so as to make the maximum 16 years of age, I call attention to the fact that 41 States and the District of Columbia now have regulations covering child labor extending to 18 years of age, and 32 States and the District of Columbia have regulations extending to minors under 21 years of age. I shall not take time to discuss those regulations, but will merely name the States. They are Alabama, Arizona, Arkansas, California, Connecticut, Delaware, the District of Columbia, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey—of course Senators will understand these regulations apply only as to some occupations—New York, North Carolina—where the maximum hours for employment in factories and manufacturing establishments are 11 per day, 60 per week, with certain exceptions—Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

Of course every Senator who opposes this proposed constitutional amendment does so conscientiously and because he believes it to be his duty to the public and to the people whom he represents to oppose it; but it is worth while in this connection to make a little comparison of the organizations that favor this amendment and those which are opposed to it. Supporting the amendment we find the American Association of University Women; American Federation of Labor; American Federation of Teachers; American Home Economics Association; commission on the church and social service, Federal Council of the Churches of Christ in America; Democratic National Committee—I hope every Democratic Senator heard that—General Federation of Women's Clubs; Girls' Friendly Society in America; National Child Labor Committee; National Council of Catholic Women; National Council of Jewish Women; National Council of Mothers and Parent-Teacher Associations; National Council of Women; National Education Association; National Federation of Business and Professional Women's Clubs; National League of Women Voters; National Woman's Christian Temperance Union; National Women's Trade Union League; Republican National Committee; Service Star Legion; and Young Women's Christian Association. The State legislatures of six States—California, Massachusetts, Nevada, North Dakota, Washington, and Wisconsin—have petitioned Congress to submit an amendment.

Mr. President, the attempt is sometimes made to make us believe that this proposed amendment is favored by only a few sentimentalists, a few impractical "highbrows," who know nothing about the practical affairs of life, but I say that a more representative list of the men and women of America who really accomplish things in our country, who really stand for the best things in American life, can not be found than in the list that I have enumerated.

Then, Mr. President, for just a moment let us turn and examine the character of the organized opposition to this amendment. The principal opposition to the amendment, so far as activity and propaganda are concerned, is the National Manufacturers' Association. Mr. President, does anybody believe that the National Manufacturers' Association of the United States is attempting to defeat this amendment because of its concern for the welfare of the children of America?

Mr. OVERMAN. Mr. President, where does the Senator from Wisconsin get the idea which he advances? I live in a manufacturing State, a big manufacturing State; in fact, one of the leading manufacturing States of the country, and I have not received one single, solitary letter from my State from a manufacturer in reference to this subject.

Mr. LENROOT. Why should the Senator have received such a letter? Every manufacturer knows the position of the Senator from North Carolina on the question.

Mr. OVERMAN. And I venture to say that no other Senator has received such a letter from my State.

Mr. LENROOT. The fact appears in the House hearings. That the attorney of the National Manufacturers' Association appeared there is sufficient, is it not?

Mr. OVERMAN. I do not think that the manufacturers of my State had any attorney, and I do not think such an attorney appeared there. A man by the name of David Clark appeared there, who was the editor of a little textile journal.

Mr. LENROOT. I said the National Manufacturers' Association. That organization is a national one.

Mr. OVERMAN. I do not think any representative from North Carolina appeared.

Mr. LENROOT. Representatives of that association appeared before the House committee, not the Senate committee.

Mr. OVERMAN. I read the House hearings, and I did not see that anybody from my State appeared there. I do not know whether anybody representing the manufacturers from other States appeared or not.

Mr. WADSWORTH. If the Senator from Wisconsin will yield to me, I should like to observe that this is news to me. I have not had a letter from a single manufacturer, and I represent in part a State that has more factories and manufacturers than all New England combined.

Mr. LENROOT. I have before me the House report.

Mr. OVERMAN. I doubt whether any Senator had a letter from North Carolina on this subject. I do not think so.

Mr. REED of Missouri. Mr. President——

Mr. LENROOT. I wish to clear this matter up now. I read from the House report as follows:

The principal opposition to the amendment came from the National Manufacturers' Association, the Pennsylvania Manufacturers' Association, the Southern Textile Bulletin, the Sentinels of the Republic, the Moderation League of Pennsylvania, the Women's Constitutional League of Maryland, an organization with 50 active members formed to oppose the maternity and infancy act, and the Woman Patriot Publishing Co., first established as the organ of the Antisuffrage Association.

Mr. OVERMAN. That is what the man who wrote that statement says, but I did not see anything in the testimony to bear that out. I have great respect for the Senator, but I question whether he can show me where any North Carolinian appeared, except the editor of a paper, who made a rather bad showing, I confess.

Mr. LENROOT. I do not know anything about the manufacturers of North Carolina.

Mr. OVERMAN. I am speaking of these particularly.

Mr. LENROOT. I am frank to say that I supposed the editor of the Southern Textile Bulletin did represent the attitude of the majority of the textile manufacturers of the Senator's State.

Mr. OVERMAN. I do not know whether he did or not, but I am frank to say that he did come here and make an appearance.

Mr. REED of Missouri. Mr. President, if the Senator will permit me, I should like to say that there are some manufacturers in my State, and I have not heard a word from any one of them, although I have been flooded with a lot of high-priced propaganda in favor of the proposed constitutional amendment that somebody paid for; and I have had some letters in opposition from men who have studied the Constitution and the character of our Government, who can not be condemned either as manufacturers or as included in any other wicked category of those who possess money.

Mr. LENROOT. Mr. President, let us examine this aspect of the case for a moment. Any organization favoring this proposed amendment could not be actuated by any thought of possible financial profit to them. Their only object, whether mistaken or otherwise, in favoring it could be because of their concern for the welfare of the child.

Mr. WADSWORTH. Mr. President, will the Senator yield at that point?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. LENROOT. I yield.

Mr. WADSWORTH. As I recollect, the Senator read among the associations supporting the amendment the Federation of Teachers?

Mr. LENROOT. Yes.

Mr. WADSWORTH. Does not the Senator know that that same Federation of Teachers has been urging for some time some Federal aid to education; and is it not a fact that under this proposed amendment Congress could take charge of the education of children?

Mr. LENROOT. It certainly is not. I am very glad the Senator spoke of that, because if he had not done so I should have forgotten to make any reference to it. I wish at this point to digress for a moment to discuss that subject. I listened with very great interest to what the Senator said in his speech on Thursday last to the effect that if this amendment were adopted the Federal Government could regulate all education in the United States.

Mr. WADSWORTH. By limitation.

Mr. LENROOT. By a limitation?

Mr. WADSWORTH. Yes.

Mr. LENROOT. Now let us see. Does the Senator think for a moment that if this amendment should be adopted Congress could enact valid legislation which would provide that no child under 18 years of age not educated in the public schools should be permitted to engage in labor?

Mr. WADSWORTH. No; I do not think that Congress could attach that limitation as to education in the public schools, but I think that Congress, very logically under this amendment, could say that no child should be permitted to labor until he had had a certain number of years of education and a certain kind of education. Congress can put any limitation on the labor of children that it wants to; any condition may be attached to it.

Mr. REED of Missouri. And that for the very reason that the Congress is by this proposal given the power absolutely to prohibit labor, and the power absolutely to prohibit labor carries with it the power to name every condition upon which it may be performed.

Mr. LENROOT. Mr. President, the decision in the Dagenhart case settled that very proposition. If Congress shall ever undertake by means of this proposed amendment, in fact, to regulate education, the Supreme Court would do with such a law just exactly what it did with the first child labor law. It would say with reference to such a measure what it said with reference to that law and with reference to the second law invoking the taxing power; that while Congress ostensibly undertook to regulate commerce in the one case and undertook to exercise the taxing power in the other case, the real purpose was to regulate the employment of child labor, which was not within the Federal power. If at any time any Congress should attempt to regulate education through this proposed amendment, the fate of such a law would be exactly that which befell the first child labor law.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LENROOT. I yield.

Mr. GEORGE. If the Senator will examine the child labor law of any State, he will find that one of the regulations embraces certain educational requirements. I dare say that such a provision is in the child labor law of every State of the Union. It is the one way by which regulation is undertaken.

Mr. LENROOT. Certainly. I have not any doubt, Mr. President, that Congress under this amendment would have the power to say that children shall not engage in labor unless they shall attend school.

Mr. GEORGE. For so many months.

Mr. LENROOT. For so many months.

Mr. GEORGE. Or for so many years.

Mr. LENROOT. I have not any doubt about that, nor have I any doubt that the Congress might provide that no child should labor unless he had attained, perhaps, the fifth grade or the sixth grade in education; but when it comes to an attempt to regulate education—that is to say, supposing it should be provided that children should not engage in labor unless they were proficient in some foreign language or in geology or in the sciences—the court would in a moment say: "You are attempting to do something that is beyond your control; it is not regulation of child labor; it is a regulation of education."

Mr. GEORGE. Yes; but if Congress can regulate conditions under which the child shall labor it can effectively impose any condition on educational requirements.

Mr. LENROOT. Under this proposed amendment Congress could not compel a child to go to school.

Mr. REED of Missouri. Mr. President, with reference to the authority to which the Senator has just referred, it is true that in the child-labor decisions and also in the decision in the Nebraska case, which was aimed at the teaching of foreign languages, the Supreme Court did say that a power granted for an express purpose could not be distorted into a power to be employed for an entirely different and separate purpose; but it is also true that, beginning with the decision in the national bank currency case, where the taxing power was employed to destroy the right of State banks to issue currency, down to the narcotics act, in which the Government employed the power to levy a tax so as to regulate the sale of narcotics——

Mr. LENROOT. I must beg the Senator to make it short.

Mr. REED of Missouri. Let me finish the sentence. And including the oleomargarine act, the courts have held that they will not look back of the declared purpose of Congress for the real purpose, and that if a power is granted it can be used for whatsoever purpose Congress sees fit to employ it. They have gone practically to that length; and the point of distinction between the two lines of cases is that the Supreme Court in two or three recent cases have held that where it is perfectly plain that the power is being employed for a purpose entirely outside of the rights granted to Congress by the Constitution, in those perfectly plain cases they will hold the law to be unconstitutional; but in this case, where the right to prohibit the labor of anybody under 18 years of age absolutely exists, clearly Congress can name the conditions under which labor can be performed.

Mr. LENROOT. Mr. President, I am not going to spend further time upon that phase of the matter. I want to say to the Senator from Missouri that up to the time of the decision in the second child-labor case I was firmly of the opinion that the court would hold just as they had held in the oleomargarine and other cases; but we can no longer say that the court will

not inquire into the real purpose of Congress with respect to legislation, because they did it in the second child-labor case; and while we passed a law invoking the taxing power exactly as we did in the oleomargarine cases and exactly as we did in the phosphorus match law, the court in this case undertook to inquire into the motives of Congress, and, notwithstanding we imposed a tax, they found that our real purpose was to regulate child labor; and that is what would happen in case Congress should, under this amendment, ever attempt to regulate education.

Mr. FLETCHER. Mr. President——

Mr. LENROOT. I can not yield further, because I must let my good friend from Delaware have the floor in just a moment.

To get back to the question of these manufacturers' associations. I now have before me the hearings in the House, and I find that Mr. James A. Emery, general counsel, National Association of Manufacturers of the United States, appeared personally before the committee and opposed this amendment.

The question was asked:

Where is your residence—where are you from?

Mr. EMERY. Washington.

He said:

I appear here, Mr. Chairman, on behalf of the National Association of Manufacturers of the United States and the following State associations of manufacturers throughout the United States: California Manufacturers' Association, Manufacturers' Association of Connecticut, Manufacturers' Association of Delaware, Associated Industries of the Inland Empire (Idaho), Indiana Manufacturers' Association, Iowa Manufacturers' Association, Associated Industries of Kansas—

I am not going to take the time to read the long list of them, but I want to be fair enough to these State associations to say that I do not believe that any very considerable number of these State manufacturers' associations ever authorized the National Manufacturers' Association to appear in opposition to this amendment, because I do not believe they are opposed to it; but, Mr. President, somebody in the National Manufacturers' Association is opposed to it, and the Pennsylvania Manufacturers' Association appeared before the House committee in opposition to this amendment.

Mr. Henry W. Moore, of Philadelphia, Pa., said:

I am here representing the Pennsylvania Manufacturers' Association.

Mr. President, did you ever know of the National Manufacturers' Association or the Pennsylvania Manufacturers' Association appearing before any committee of Congress interested in humane legislation, having their attorneys appear here for any measure to advance the social welfare?

Mr. REED of Missouri. Mr. President, will the Senator allow me to remark in passing that they have appeared before many Republican conventions and financed many a Republican campaign.

Mr. LENROOT. Whether they have or not has nothing to do with the statement I have just made. My good friend to my left [Mr. CURTIS] makes the observation that they have appeared likewise before Democratic conventions and helped finance Democratic campaigns.

Mr. REED of Missouri. If so, they brought us pennies where they brought you dollars.

Mr. LENROOT. Mr. President, why is it that these manufacturers' associations are appearing here in opposition to this amendment? Is there any Senator who thinks they are here because they are interested in the health and the education and the development of the little children of our country? No. Only one conclusion can follow the appearance of these gentlemen, and that is that they want to coin into dollars and accumulate into profits the lives of some of these children. No other inference can be possibly drawn, and that is why they are here—because they think there are more dollars for them in profits that will be taken from them in case this amendment is adopted and the Federal Government has some control over this subject.

Mr. OVERMAN. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LENROOT. Yes.

Mr. OVERMAN. I think the Senator is unfair to these manufacturers. I know it is so in my State. When the child labor law went into effect agents were sent all over this country to spy upon the manufacturers. To give an example, if the Senator will yield to me for that purpose, these agents were sent down to my State, and they would go to a boy and say, "How old are you?" "I am 15 years old." "You are not 15 years old. Where is your mother? Where does your mother live? Where is her house?" They invaded the sacred precincts of her home to ask for the birth certificate or to ask for the Bible. That is what makes the people mad. Then they came back here to Washington, and in several instances assessed our people $50,000 or $100,000 for violating the second child labor law.

I went to those men before the department and showed them clearly—so much so that they abated the fines—that misrepresentations had been made. The manufacturers, of course, do not like these agents to come down and be disputing their word and going into the homes of their employees and spying upon these people, and they resent that. There is something in what the Senator says, but there are other reasons why they are opposed to the amendment, and that is one of the reasons—because these people were troubled and assessed immense sums when there was no excuse for it. The lady who presided over that great department is opposed to this legislation because this thing took place, and I have the record here showing that she thinks it is a vicious piece of legislation.

Mr. LENROOT. Mr. President, it is not necessary for a manufacturer to undergo the penalty of which the Senator speaks; not at all. A manufacturer can protect himself from the employment of children. Of course, if he is so eager to make profits out of those who come right along the line that he is willing to take a chance, he may incur it.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. WADSWORTH. The Senator has delivered himself of a wholesale assault upon the manufacturers of the United States.

Mr. LENROOT. No; I have not.

Mr. WADSWORTH. Oh, yes; the Senator says that no manufacturers' association or manufacturer has come here with any other motive than that of keeping his hand upon these little children and grinding dollars out of them, or words to that effect. He has made no exceptions at all.

Mr. LENROOT. I said those who came here. In my own State, for instance, I do not believe there is a manufacturer who is opposed to this amendment, and I am sure the Manufacturers' Association of my State is not opposed to this amendment.

Mr. WADSWORTH. I was about to make the same observation about the manufacturers of my State. I would not have made that observation had not the Senator indicted, wholesale, all manufacturers.

Mr. LENROOT. No; I did not; and the Senator must not misquote me, because every Senator will know that I stated in reading this list that I did not believe that Mr. Emery, in appearing here purporting to represent all these State associations, did in fact represent them, because I said I did not believe that was their attitude.

Mr. WADSWORTH. Well, Mr. President, we get different impressions from what people say.

Mr. LENROOT. If the Senator will look at the RECORD he will see that that is exactly what I said.

Mr. REED of Missouri. Mr. President, will the Senator furnish us a bill of particulars as to what manufacturers he is indicating? He has now exculpated nearly everybody.

Mr. LENROOT. No; Mr. Emery appeared personally before the House committee in opposition to this amendment. Mr. Emery is counsel for the National Manufacturers' Association. He must have had authority from somebody to appear to represent somebody.

Mr. REED of Missouri. Does not the Senator remember that Mr. Emery is the gentleman that we drove out of Washington during the lobby hearing; that we exposed his methods at that time, and that it was very plain that he did not represent the decent and responsible element of manufacturers in this country at all; that he was just a faker down here getting some money by pretending to furnish information, if that is the same Emery?

Mr. LENROOT. What the Senator now states is not at all inconsistent with the statement I have made. I have repeatedly said that I did not believe that the majority of the manufacturers of this country were in accord with the position taken by Mr. Emery; but Mr. Emery came to this committee representing somebody, and I have a right to assume that that somebody was some manufacturers who desired and were interested in continuing to employ little children for their own profit in dollars.

Mr. OVERMAN. Mr. President, that is the reason why I interrupted the Senator, because I thought he had made a wholesale charge against all manufacturers.

Mr. LENROOT. The Senator knows now that I did not, does he not?

Mr. OVERMAN. I know the Senator started out by denouncing Emery, and what Emery had done, and I said: "Do not be unfair to all manufacturers, because that is not true as to all of them."

Mr. LENROOT. Will not the Senator agree that I said I did not believe that Mr. Emery represented the attitude of these State associations?

Mr. OVERMAN. I do.

Mr. LENROOT. But, Mr. President, we have one State association that also expressly appeared, and that was the Pennsylvania Manufacturers' Association, in the person of Mr. Moore.

Mr. WADSWORTH. Has the Senator read the testimony in regard to that?

Mr. LENROOT. I have.

Mr. WADSWORTH. I have not, myself. I am wondering if their testimony indicates an inhumane attitude; whether they have something to point out about the age of 18. It would be an extraordinarily serious consideration if enforced to the full letter, and more serious to the employee than to the employers themselves.

Mr. LENROOT. This is what he said, representing the Pennsylvania association:

Now, then, if all the amendments, with the exception of the eighteenth, which I feel was an innovation, and amendments of that nature are in the nature of a wedge, tending to open wider the split which has occurred, and if followed by other similar amendments, it will tend to open that rift so wide there may be a flood of poor legislation which, in our opinion, would have no place in a frame of government which should be strictly limited to its purpose, to control legislation and not to speak it; if that occurs it seems to me there is danger that the Federal Constitution may be open to the same criticism which so many State constitutions are now subject to, in the attempt to regulate everything, and the adoption of State legislation, which at the time is popular, or supposed to be important, they have loaded them down to the point where they are digests of the law.

It was a general condemnation of this amendment and did not relate to any particular point.

Mr. WADSWORTH. Does the Senator mean that that indicates an inhumane attitude? There are people who believe there should be some limit to the powers of the Federal Government.

Mr. LENROOT. I will say that I know something of Mr. Emery, as the Senator from Missouri has indicated, and so does the Senator from New York.

Mr. WADSWORTH. I never heard of him before.

Mr. LENROOT. That gentleman has never appeared before any committee of Congress I have been aware of where there was not some selfish purpose to serve for somebody he was representing.

Mr. WADSWORTH. Was the Senator reading from his testimony?

Mr. LENROOT. Just now I was reading from Mr.——

Mr. WADSWORTH. The Pennsylvania man?

Mr. LENROOT. Yes.

Mr. WADSWORTH. That is the man about whom I asked the question.

Mr. LENROOT. He is a man I do not happen to know anything about.

In conclusion, this constitutional amendment, as has been frequently pointed out, prohibits nothing. In itself, if adopted and ratified by the States, unless there shall be subsequent legislation upon the subject, it will not be effective for any purpose. All that it does is to give to the Congress the power to do what Congress in 1916 supposed it had the power to do under one clause of the Constitution and in 1919 supposed it had the power to do under another clause of the Constitution.

If Congress was right in 1916, if it was right in 1919, in believing that that legislation was desirable and necessary, then this amendment ought to be adopted and submitted to the States for ratification; and may I suggest that if three-fourths of the States shall ratify this amendment if submitted, surrendering a portion of their own rights, will not that be the strongest kind of evidence that the arm of the Federal Government is needed in those States to cooperate with them in the suppression of this evil? If, on the other hand, it shall not be ratified by that number of States, the matter will rest exactly where it is.

In closing, Mr. President, I again emphasize the character of the support this amendment has. It has the support of organizations throughout the United States representing all that is best in the life of the United States. It has the support of the Republican Party officially, and it has the support of the Democratic Party officially. As I said in the beginning of these remarks, it will have the support of the Republican Party on the 11th day of June next in the Cleveland convention. Whether this resolution be adopted Monday or rejected, that convention, sir, is going to favor the amendment, and I hope the Democratic Party will do likewise at its New York convention. If it does not, the Republicans will profit by the omission to the extent of several hundred thousand votes.

HOUR OF MEETING ON MONDAY

Mr. CURTIS. Mr. President, we are to vote on the pending constitutional amendment on Monday at 5 p. m., and several Senators have asked me if I would not request that when the Senate concludes its business to-day it take a recess until Monday morning next at 11 o'clock. I make that request.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that when the Senate concludes its business to-day it take a recess until 11 o'clock on Monday. Is there objection? The Chair hears none, and it is so ordered.

Mr. OVERMAN. I understand that the pending joint resolution will be the unfinished business, and that the debate may go on?

The PRESIDENT pro tempore. That is correct.

MAJOR THOMAS JAMES CAMP

Mr. WADSWORTH. Mr. President, I report favorably from the Committee on Military Affairs, without amendment, the bill (S. 3416) to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army, and I submit a report thereon (No. 672). I ask for the immediate consideration of the bill.

The PRESIDENT pro tempore. The Secretary will report the bill for information.

The reading clerk read the bill as follows:

Be it enacted, etc., That upon the occurrence of the next vacancy in the grade of major in the Regular Army such vacancy may be filled by the appointment by the President, by and with the advice and consent of the Senate, of Thomas James Camp, if found physically qualified, as a major of Infantry in the Regular Army: *Provided*, That no pay or allowances antedating an acceptance under an appointment pursuant to this act shall accrue thereunder.

Mr. ROBINSON. Mr. President, I understand that this officer tendered his resignation, but promptly thereafter sought to withdraw the same, and that for some time afterwards it was in doubt in the War Department as to whether his resignation had actually been accepted and he was out of the service.

Mr. WADSWORTH. The question was, Which arrived at the department first, the original resignation or the request for leave of absence and the withdrawal of the resignation? It was finally determined, and had to be determined, that the resignation arrived first, and that it had already been accepted. There was an error of intent on the part of the officer, who did not realize his privilege, under the statute, of taking a leave.

Mr. ROBINSON. I understand that the report is unanimous.

Mr. WADSWORTH. It is unanimous, and the bill has the approval of the Secretary of War.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REGULATION OF CHILD LABOR

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States.

Mr. FLETCHER. Mr. President, I have just received two letters bearing on the measure pending before the Senate, which I desire to have printed in the RECORD. One is from a great lawyer, for years a judge of the State circuit court in Florida, Judge W. B. Young. I ask to have that letter printed in the RECORD.

The other letter is from Mr. D. H. Petree, who is a member of the Florida Legislature, has four sons, and has a word to say on this subject.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the letters were ordered to lie on the table and to be printed in the RECORD, as follows:

JACKSONVILLE, FLA.,
May 23, 1924.

Hon. D. U. FLETCHER,

MY DEAR SENATOR: I have just received the copy of H. J. Res. 184, which you were kind enough to send me. If this proposed amendment is adopted then they should adopt another amendment abolishing all State governments. It will not be worth the cost thereof to continue

under State governments. The fears of those who opposed the ratification of the Constitution, as expressed in the convention to which its ratification was submitted, are being realized. This joint resolution could never pass either House of Congress, if all those elected as Democrats are true to Democratic principles, by the requisite majority. The attempt in section 2 to say that the powers of the States is not impaired by the article is absurd, for this very section says that State laws shall be suspended to give effect to the enactments of Congress.

Yours truly,

WM. B. YOUNG.

D. H. PETREE REALTY CO.,
Callahan, Fla., May 29, 1924.

Hon. DUNCAN FLETCHER,
Washington, D. C.

MY DEAR SENATOR: I have read with much interest this morning your strong, reasonable and timely protest against the proposed amendment to regulate and prohibit the labor of persons under 18 years of age. I hasten to congratulate you on the stand you have taken in the matter, and wish to say that you not only have my own unqualified personal approval of your position, but believe you also have, in this matter, the approval of every right-thinking father and mother in Florida.

I am amazed and humiliated to think that there are some pretended statesmen in Congress that are so lacking in farseeing range of vision as to favor this amendment. I do not believe that a more dangerous thing could happen to our country than the enactment of such a law. I firmly believe that a revolution and the speedy downfall of our Government will follow the adoptment of such an amendment.

If I am anything to-day, if I am of any use to my fellow man, I attribute it to the fact that my parents taught me to labor in my youth. They taught me how to do things—even required me to do them, and but for this discipline on their part, God only knows what I might have turned out to be.

I have raised four sons. I taught them to labor while young, and discouraged idleness. Although I sent them to school, I required them to work when not in school. To-day they are all sober, clean, and honorable and have the confidence of all who know them. One of them, a very young man, is a member of the city council in Jacksonville. I shudder to think what they might have been if I had allowed them to grow up in idleness.

When the right of a father to govern his own family is taken away from him, God pity our Nation and the world!

I will be a member of the next Florida Legislature, from Nassau County. Will be elected without opposition. I only wish that there was something that I could do in that body against such dangerous laws.

Keep up the fight against it, Senator, and may God hold up and strengthen you. With very best wishes, and my highest regards, I am,

Respectfully,

D. H. PETREE.

Mr. BAYARD obtained the floor.

Mr. REED of Missouri. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Fletcher	McKellar	Sheppard
Bayard	George	McKinley	Shields
Brandegee	Gerry	McNary	Shipstead
Brookhart	Glass	Moses	Shortridge
Broussard	Gooding	Norbeck	Smith
Bursum	Harreld	Oddie	Stanfield
Cameron	Heflin	Overman	Stanley
Colt	Jones, N. Mex.	Owen	Swanson
Cummins	Jones, Wash.	Phipps	Trammell
Curtis	Kendrick	Pittman	Wadsworth
Dial	Ladd	Ransdell	Walsh, Mont.
Ernst	Lenroot	Reed, Mo.	Warren
Ferris	Lodge	Robinson	Wheeler

The PRESIDENT pro tempore. Fifty-two Senators having answered to their names, a quorum is present. The Senator from Delaware will proceed.

Mr. BAYARD. Mr. President, the joint resolution (H. J. Res. 184) proposing an amendment to the Constitution of the United States provides as follows:

Resolved, etc., That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE —

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

I may say in passing that I have submitted and there lies upon the desk an amendment to which I shall refer later in my remarks.

The advance by legislation making for the amelioration of conditions touching child labor between 1910 and 1920 shows a tremendous stride forward, and the figures disclose that of the little over 1,000,000 children under 16 years of age employed, as shown by the 1920 census, 61 per cent were employed on farms, and that even on the farms this was a 50 per cent reduction of the children employed over the census of 1910. Further consideration should be given to the fact that a very small percentage of those working on the farms were working for persons other than their parents.

In 1912 the child labor laws of 21 States were below the standard set up for uniform child labor drafted by the national labor committee at that time, but now statistics and facts plainly show that only 3 States are below those standards in important particulars, and that these are not industrial States.

It is interesting to note further that under the 1920 census it appears that of the children below 16 years of age engaged in gainful occupation two-thirds of all of them were in their fifteenth and sixteenth years, and of those employed in manufacturing and mechanical industries all but 10,000 had passed their fourteenth birthday.

Another phase of the matter which is totally misconstrued and misrepresented by the proponents of the proposed legislation is in regard to the number of children working on part time. Many thousands of the children engaged in the manufacturing industries, and also fruit packing and canning establishments, only work during the summer months, and this would apply to many other industries as well; so that while the number of children employed in the course of a year would appear to be great, the actual period of employment and the character of employment and the age of the children so employed are not fairly presented. If detailed evidence were given of this, it would appear, first, that not only a vast majority of such children are covered by the State laws in regard to the minimum age but, second, that the period of employment only lasts over a few months, which in actual effect does not either harm the children physically or prevent their school attendance during the winter months.

Just why the age of 18 years is taken does not clearly appear in any of the discussions generally presented to the public, and yet every thinking person must know that children between 16 and 18 are capable of work, if the laws of the several States governing the employment of minors provide for reasonable rules and regulations; and it is submitted that they do generally so provide. Why, then, is the age of 18 placed in the resolution?

It is apparent that the proposed measure would put under Federal control a boy of 17 years and 10 months as a person to be supervised by the Federal official merely on account of his age, yet we forget, apparently, that our draft law in the recent war authorized the taking of boys who had reached their eighteenth birthday and placed them in the Army. If they can not work at manual labor at 17 years and 10 months, by what metamorphosis can they be transformed into soldiers immediately upon their eighteenth birthday?

I desire to read some statistics, and I say very frankly that I take them from the House majority report, which was in favor of the adoption of the joint resolution, and therefore I shall assume the statistics are more favorable to the proponents of the measure than to the opponents. When I shall have finished reading from the short table I shall ask that it be incorporated in my remarks.

I call attention first to the fact that in 1910 there were 10,828,365 children from 10 to 15 years of age, inclusive, in the United States. Of this number, 557,797 were engaged in nonagricultural pursuits; that is, 5.2 per cent of all the children under 15 years of age in the whole country. In 1920, despite the fact that the total increase in the number of children ran the number to 12,502,582, only 413,459, or 3.3 per cent, were engaged in nonagricultural pursuits. The balance, of course, were engaged in agricultural pursuits.

I would call attention to the fact that in 1920 the total number of children from 10 to 15 years of age engaged in any gainful occupation was 1,060,858, and of those 647,309, or 61 per cent, were engaged in agricultural pursuits, while 413,549, as I have already mentioned, were engaged in nonagricultural pursuits.

I further call attention to the figures in the table showing in detail how these children engaged in nonagricultural pursuits were employed. A short time since we listened to the junior Senator from Wisconsin [Mr. LENROOT], and, as I

understood it, he meant it deliberately to appear, and when he mentioned this whole number of four hundred thousand and odd children engaged in nonagricultural pursuits, he wanted us to believe and the people who read his speech to believe that those children were all being engaged in pursuits which were detrimental to their health and to their welfare.

The detailed data shows that those employed as messengers for handling bundles and messenger service, office boys and girls, were 48,028, or 11.6 per cent of the more than 400,000 engaged in nonagricultural pursuits. All of the figures which I shall read in the next few minutes will have reference to that element of labor.

Servants and waiters, 41,586, or 10.1 per cent. That is, over 10 per cent of the whole number engaged in nonagricultural industries were engaged in House service, and yet my good friend from Wisconsin would have it appear from his remarks that they were being ground down and their lives squeezed out of them by reason of the nature of their occupation.

Salesmen and saleswomen in stores 30,370 or 7.3 per cent.

Clerks, except clerks in stores, 22,521 or 5.4 per cent.

Cotton-mill operatives. I want to call attention to this particularly, because there was great stress laid by the Senator from Wisconsin upon this point. The total number of cotton-mill operatives in the country from 10 to 15 years of age was 21,875 or 5.3 per cent. I pause here for a moment to say that when we come to the figures which I shall present later and which were presented in large detail a day or two ago by the senior Senator from New York [Mr. WADSWORTH], it will be perfectly apparent that due regard is had and due provision made to see that children under 14 years do not work in those factories except a State permit is granted by an officer appointed by law for that purpose.

Newsboys 20,706 or 5 per cent of the total. We all know that the newsboy does not spend all of his time selling newspapers. We all know that in nearly all of the States the newsboys themselves are supervised by a labor inspector.

Mr. REED of Missouri. How many of those were there?

Mr. BAYARD. There were 20,706.

Iron and steel operatives, 12,904 or 3.1 per cent; clothing industry operatives, 11,757 or 2.8 per cent; lumber and furniture operatives, 10,585 or 2.6 per cent; silk mills, 10,023 or 2.4 per cent; shoe factories, 7,545 or 1.8 per cent; woolen and worsted mill operatives—and we have heard a great deal about the woolen mills—7,077 or 1.7 per cent; coal-mine operatives, 5,850 or 1.4 per cent; all other occupations 162,722 or 39.03 per cent.

Number and per cent distribution, by occupation, of children 10 to 15 years of age, inclusive, engaged in selected nonagricultural pursuits, for the United States, 1920 [1]

Occupation	Number	Per cent distribution
All nonagricultural pursuits	413,549	100.0
Messenger, bundle, and office boys and girls [2]	48,028	11.6
Servants and waiters	41,586	10.1
Salesmen and saleswomen (stores) [3]	30,370	7.3
Clerks (except clerks in stores)	22,521	5.4
Cotton-mill operatives	21,875	5.3
Newsboys	20,706	5.0
Iron and steel industry operatives	12,904	3.1
Clothing-industry operatives	11,757	2.8
Lumber and furniture industry operatives	10,585	2.6
Silk-mill operatives	10,023	2.4
Shoe-factory operatives	7,545	1.8
Woolen and worsted mill operatives	7,077	1.7
Coal-mine operatives	5,850	1.4
All other occupations	162,722	39.3

[1] Fourteenth Census of the United States, 1920: Children in Gainful Occupations (not yet published; figures furnished by courtesy of United States Bureau of the Census).

[2] Except telegraph messengers.

[3] Includes clerks in stores.

I do not know why, but the proponents of the joint resolution certainly in this House, although, from reading the RECORD, I can not find that they did so in the House at the other end of the Capitol, absolutely failed to call attention to the fact that the percentages given are not of the whole number of children in the country and not of the whole number of children engaged in gainful occupations, but of the whole number of children engaged in nonagricultural operations. So if we take, for instance, the woolen and worsted mill operatives, of whom we have heard a great deal, the children so employed constitute 1.7 per cent of the four-hundred-and-odd thousand children employed in the nonagricultural pursuits. Think of what an infinitesimal per cent they are of the 12,502,582 children below the age of 15 years! Yet if we listen to the arguments it is attempted to make it appear that the percentages apply to the whole number of children throughout the country who are below the age of 15 years.

Turning now to the facts in the case, which seem from all reports on the subject to be glossed over or avoided on the sentimental, unfair, and untrue plea that the States are not doing their duty by their minor children, it may be well to look into the absolute facts of the situation. I have here a table, showing, in brief, the laws of the several States relative to employment of children in factories.

I shall not read the table in detail, but it shows conclusively that not one single State in the Union fails to have a law relative to the employment of children in factories under which no child under 14 years of age may be employed except by a special permit issued by the proper State official. The senior Senator from New York [Mr. WADSWORTH] discussed this question very ably the other day, but it is interesting to note that in not all of the States is the age limit 14, but in some it is 15 and in some it is 16. Exceptions are provided for by the law, and those exceptions are to be taken care of by the State labor inspector or whatever official may have charge of the matter. I ask that the table may be incorporated in my remarks without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table referred to is as follows:

STATE LAWS RELATIVE TO EMPLOYMENT OF CHILDREN IN FACTORIES

Alabama, prohibited under 14.

Arizona, prohibited under 14. (Exception, boy 10 to 14 may, upon license, outside school hours work at labor not harmful.)

Arkansas, prohibited under 14.

California, prohibited under 15. (Exception, child 12 during school vacation.)

Colorado, prohibited under 14. (Exception, child 12 during summer vacation.)

Connecticut, prohibited under 14.

Delaware, prohibited under 14. (Exception, child 12 outside school term on special permit.)

Florida, prohibited under 14.

Georgia, prohibited under 14. (Exception, child 12 on permit if orphan or has widowed dependent mother.)

Idaho, prohibited under 14.

Illinois, prohibited under 14.

Indiana, prohibited under 14.

Iowa, prohibited under 14.

Kansas, prohibited under 14.

Kentucky, prohibited under 14.

Louisiana, prohibited under 14.

Maine, prohibited under 15.

Maryland, prohibited under 14.

Massachusetts, prohibited under 14.

Michigan, prohibited under 15.

Minnesota, prohibited under 14.

Mississippi, girl prohibited under 14, boy 12.

Missouri, prohibited under 14.

Montana, prohibited under 16.

Nebraska, prohibited under 14.

Nevada, prohibited under 14.

New Hampshire, prohibited under 14.

New Jersey, prohibited under 14.

New Mexico, prohibited under 14.

New York, prohibited under 14.

North Carolina, prohibited under 14. (Exception, boy 12 on special permit outside school hours. Only 66 so employed during 1923.)

North Dakota, prohibited under 14.

Ohio, prohibited under 16. (Exception, child 14 outside school term.)

Oklahoma, prohibited under 14.

Oregon, prohibited under 14. (Exception, child 12 outside of school term.)

Pennsylvania, prohibited under 14.

Rhode Island, prohibited under 14.

South Carolina, prohibited under 14.

South Dakota, prohibited under 15.

Tennessee, prohibited under 14.

Texas, prohibited under 15.

Utah, prohibited under 14.

Vermont, prohibited under 14.

Virginia, prohibited under 14.

Washington, prohibited under 14. (Exception, child 12 on permit of superior court judge in case of poverty.)

West Virginia, prohibited under 14.

Wisconsin, prohibited under 14. (Exception, child 12 during school vacation.)

Wyoming, prohibited under 14.

Mr. BAYARD. Mr. President, taking into consideration the fact of the tremendous increase in legislation on this subject during the past 10 years, with the resultant benefit to children, in whose favor these laws are passed, it will be found that in 1920, roughly speaking, of the about twelve and one-half million children in the country under 15 years of age 1,060,000 are engaged in gainful pursuits, and that of this number 61 per cent are engaged in farm labor; so that the remainder are engaged either in household occupations or factories or stores, and so forth.

It needs no recapitulation or reference to the individual laws of the several States to bring home to the Members of this body the known fact that of recent years great advance has been made in legislation caring not only for minors but for persons over 21 years of age in factories, stores, and household service. I call attention to the fact that only recently the Supreme Court of the United States was called upon to render a decision in regard to a law passed by the State of New York limiting the employment of women at night. That is an instance I had in mind where State laws have gone into the field of safeguarding health and have covered people regardless of age. Great advance has been made in that direction.

There does not now seem to be a serious complaint based on fact of neglect by the several States of the minor children, although, of course, there must be breaches of the law in scattered cases. It may be that the laws are not satisfactory to those who deem this legislation necessary, because, forsooth, in their opinion, occasional injury may be done to children through neglect of enforcement of the laws; but it does not appear certain, judging from the discussions in the House of Representatives, that the State laws themselves are either inoperative or do not fairly measure up to a proper standard for the safeguarding of the health and welfare of minor children.

I have before me another table touching the employment of children and even adults, which I ask may be incorporated in my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table referred to is as follows:

PROHIBITION OF WORK IN CERTAIN OCCUPATIONS OR UNDER CERTAIN CONDITIONS DANGEROUS OR INJURIOUS TO LIFE, LIMB, HEALTH, OR MORALS

(Occupations specified in the laws vary. Examples of the places of employment and occupations in which work is prohibited are: Work in mines, quarries, coal breakers; oiling or cleaning dangerous machinery, such as laundry machinery, power presses, crosscut saws; operating dangerous machinery; running elevators; occupations in which poisonous acids are used or in which injurious gases or dusts are produced; manufacture of tobacco; work in or about docks or wharves; erection or repair of electric wires; work which may be hazardous to morals, as employment in night messenger service; any employment dangerous to life or limb or injurious to health or morals.)

I. Minor under 21 (most of these are prohibitions of night messenger service): Alabama, Arizona, Delaware, Indiana, Kentucky, Louisiana, New Hampshire, New Jersey, Rhode Island, Utah, West Virginia, Wisconsin, and Wyoming (13 States).

II. Minor under 18: Alabama, Arizona, Connecticut, Delaware, Florida, Indiana, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Washington, West Virginia, and Wisconsin (23 States).

III. Boy under 18: Michigan, Minnesota, and New York (3 States).

IV. Girl under 18: California, Iowa, Missouri, and Ohio (4 States).

V. Minor under 17: Louisiana, Rhode Island, Texas, and Wisconsin (4 States).

VI. Girl under 21: Michigan, Minnesota, New York, Ohio, Virginia, and Wisconsin (6 States).

VII. Any female: Michigan, Minnesota, New York, and West Virginia (4 States).

B. NIGHT-WORK PROHIBITIONS

(Excluding prohibitions in night messenger service, which are included under dangerous or injurious, etc., occupation prohibitions.)

I. Minors 16 to 18: Arkansas, California, Kansas, Minnesota, Ohio, and Washington (6 States).

II. Boys 16 to 18: Massachusetts, New Jersey, and New York (3 States).

III. Girls 16 to 18: Arizona, District of Columbia, Indiana, Louisiana, Michigan, Mississippi, New Hampshire, Oklahoma, Oregon, and Pennsylvania (9 States and District of Columbia).

IV. Girls under 21: Massachusetts, New York, Ohio, and Pennsylvania (4 States).

V. Females: California, Connecticut, Delaware, Indiana, Kansas, Massachusetts, Nebraska, New Jersey, New York, North Dakota, Oregon, Pennsylvania, South Carolina, and Wisconsin (14 States).

C. HOURS OF LABOR

I. Minors under 21: North Carolina (1 State).

II. Minors 16 to 18: Arkansas, California, Kansas, Louisiana, Massachusetts, New Hampshire, New Jersey, Ohio, Oregon, Washington, and Wisconsin (11 States).

III. Boys 16 to 18: Massachusetts, Michigan, and New York (3 States).

IV. Boys 16 to 17: Wisconsin (1 State).

V. Girls 16 to 18: Arizona, Indiana, Mississippi, Nevada, and Pennsylvania (5 States).

VI. Girls under 21: Massachusetts and Ohio (2 States).

Mr. BAYARD. Mr. President, I shall not detain the Senate unnecessarily by more than a reference to this last compilation, but I do beg the Senators, individually and collectively, to read with care the tables which I have presented in my remarks, in order that they may see for themselves the actual facts now at hand regarding this situation, and that they may not be carried away and undertake to force from the several States a police power over a subject which confessedly, under the spirit of our American institutions, belongs to the States.

Again I call attention to the great proportion of minor children employed in gainful occupations who merely work on the farms of their parents. It is shown by the record that, under date of March 18, 1924, the Director of the Census Bureau in a letter to the chairman of the Judiciary Committee of the House stated:

> It is generally recognized, of course, that the great majority of the children reported by the Bureau of the Census as engaged in agricultural pursuits probably were not, as a matter of fact, working with any high degree of regularity or continuity. Of the 647,309 children 10 to 15 years of age reported as engaged in "agriculture, forestry, and animal husbandry" in 1920, 569,824, or 88 per cent, were farm laborers on the home farm, and it is very probable that a majority of the remaining 77,485 worked either for, with, or under the direction of their own parents. The work of these children doubtless varied from a few weeks or months' work each year to regular employment throughout the year.

It is within the knowledge of all of us that most of this labor by the children on the farms takes place during the summer months, and that all those of school age are by the local laws compelled to attend school for at least a minimum period, unless the local State official from time to time under a certificate allows to the contrary.

The fact should not be lost sight of that, in spite of the tremendous increase in our population in recent years, the census of 1910 showed 2,000,000 boys and girls under 16 years of age worked in that year, while the census of 1920 showed only a little over 1,000,000 under 15 years; that is, a proportionate reduction of 18 per cent of all minor children in 1910 as against 8.5 per cent in 1920.

In the administration of this proposed amendment when disputes arise between parents and the Federal officials, they must necessarily be settled eventually in the Federal courts.

Let me state here, Mr. President, that in the argument of this question we were met all the way through, inside and outside the Halls of Congress, with the statement that this is not a law; it is merely an amendment. If it is merely an amendment, it will be futile unless the laws shall be passed to make it operative; and, inasmuch as the whole includes the parts and the greater includes the less, it must be assumed that it is intended to pass laws in consonance with the terms of this proposed amendment; otherwise the amendment itself is meaningless and useless. The Federal courts, relatively speaking, are few and far between, and it is not unfair to picture the tremendous expense which will not only be entailed upon the Federal Government—and that means the taxpayers all over the country—but upon the parents who, to assert their rights, must, in attending upon the court proceedings, be subjected to heavy financial disbursements. Furthermore, in the event that the parents are unable, through stress of financial circumstances, to attend court for the purpose of protecting their rights grave injustice may occur at the hands of an ignorant, vicious, or venal Federal official.

It is too much the custom to-day that anybody with a personal ill, or anybody whose imagination draws an unhappy picture and often an untrue one regarding the ills of others, seeks not a remedy in the State legislatures, but comes bustling post-haste to the National Capitol for a supposed remedy. One result of this method of procedure is that the sovereign States themselves are seldom, if ever, represented at the hearings of the committees of either House of Congress when such matters are under discussion; and, worse than that, it would appear that the committees themselves are willing to conduct what amounts to ex parte proceedings, and seem unwilling to make

any substantial effort to secure from the States information as to the conditions in the States on the subject matter then up for discussion.

The committees only take what is given to them—and that generally is given by partisans—and, as I have just stated, the committees never seem willing of their own motion to send for the State officials in order that a fair presentation of both sides of the question may be had.

To those Senators on this side of the aisle who boast the Democracy of Thomas Jefferson, it is inconceivable to my mind that they should have any doubt in refusing their support to this pending measure. The doctrine of State rights has been and should be their rallying cry; and yet I fear there will be Senators on this side of the aisle who will, regardless of the actual facts, regardless of their political faith, find their way to vote in favor of the measure.

Taking up the State rights theory, it is interesting to note that almost without exception the advocates of the adoption of the Federal Constitution, whether of the so-called Jeffersonian school or the so-called Hamiltonian school, appear to be together on this point.

We find Jefferson, among other things, stating:

> When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another, and will become as venal and oppressive as the government from which we separated.

And Hamilton tells us—

> The State governments possess inherent advantages which will ever give them an influence and ascendancy over the National Government and will forever preclude the possibility of Federal encroachments. That their liberties, indeed, can be subverted by the Federal head is repugnant to every rule of political calculation.

And again we find Hamilton stating:

> This balance between the National and State Governments ought to be dwelt on with peculiar attention, as it is of the utmost importance. It forms a double security to the people. If one encroaches on their rights, they will find a powerful protection in the other. Indeed, they will both be prevented from overpassing their constitutional limits by a certain rivalship which will ever subsist between them.

Unquestionably these two great leaders of political parties and leaders of political thought are thus shown to be of one mind regarding the police power reserved to the several States and the necessity for that reservation.

The patent purpose of the pending resolution is to say to the several States:

"We, the Members of both Houses of Congress, say to you, the peoples of all of the several States, that in our opinion you are not qualified or capable to make and enforce proper laws upon the subject of child labor. Being of this opinion, we are taking this opportunity, given us by the Constitution, to seek to deprive you of your just powers reserved to you; so that we, the Members of both Houses, who compose the National Congress, will use every proper means in our power to take entire charge of this matter, notwithstanding the spirit of our institutions is directly contrary to such a movement."

There can be no question that reflection will demonstrate to every Member of the Senate that, while the apparent reason given is the ultimate benefit and protection of minor children engaged in manual labor, the real effect of the resolution, if adopted by Congress and thereafter ratified by the necessary number of States, will be a very radical change in our structure of government; and if this proposed resolution should become a part of our basic law it requires no prophet to foresee the speedy enactment of other measures not only impinging upon State rights but upon the ultimate liberty of the citizens of this country.

The Congress has just passed and sent to the President a law of the greatest importance to the citizens of this country, to wit, the taxation bill. Yet in all the discussions which have heretofore arisen on this subject of this proposed Federal amendment no apparent, if any, attention has been paid to the heavy increase in cost that will be entailed upon the taxpayers if the Federal Government is to be endowed with the power sought. In the first place, it must necessarily duplicate the machinery covering this question which now exists in all the States. The people of the several States are now taxed for the State machinery covering this operation, and the passage of this amendment means an even greater, and, if consideration is given to the subject, a substantially greater tax upon the same citizens for the operation of a law in which they individually, as citizens of a sovereign State, will have no voice in the application and enforcement.

Pause for a moment, Senators, and imagine this amendment passed and statutes in consonance therewith on the Federal statute books. You will then see some Federal official appointed, perhaps from California, Oregon, or the State of Washington, determining the status of a minor child under this law in some State or States 3,000 miles away from the State of this official's birth and upbringing.

Imagine, if you please, a sturdy youth of 17, of independent spirit, of good physical ability, who never before has been brought directly in contact with the Federal Government, receiving orders from a man about whom his only knowledge is that he is a citizen of a State some 3,000 miles away. Imagine his resentment if he himself, as he sees it, is unfairly treated; and still further imagine the possibility of cruel treatment at the hands of this Federal officer merely because the boy has shown a human spirit of resentment under the circumstances. Under a local State law and under the local administrator thereof some sense of adjustment and responsiveness would be in the boy, and he would be readily amenable to either suggestion or positive order of the State official; but because he is a liberty-loving being, one can readily imagine his unwillingness to accord with the views and orders of an utter stranger.

Not only boys, but young girls as well, who would come within this proposed legislation, would have the same feelings as the boys, for they, too, are American citizens, with the same ideals, aspirations, and love of liberty.

Relatively little difficulty is found by the State officials under the present State laws in securing accommodations with the parents of minor children regarding the hours of labor for minors, and this is largely so because of the personal acquaintance and local relation of the parties in interest; but when a stranger from a far-distant State steps in—and it will happen under the proposed legislation—and tells the parents just what their children shall or shall not do, resentment is bound to occur; for the parents, like the children, are liberty-loving Americans. It is not unfair to imagine a case where a Federal official might so direct or prevent the employment of a minor that the parent or parents, who might be dependent to a vital degree upon the labor of the minor child, would be grieviously handicapped in supporting life. It is not unfair to look to the future and see the possibility of legislation providing appropriations for parents whose children, under Federal control, will not be allowed to aid in the support of their parents.

It seems to me that such a measure would follow at once, and there is nothing to prevent our doing that under our present law. It is merely an opportunity for another addition to our national tax burden.

If the Federal Government is to have control of the hours of labor of all children under 18 years of age, it can if it so wishes lengthen or shorten the time or the hours for labor. I want to read again section 1 of this proposed article:

> The Congress shall have power to limit, regulate, and prohibit the labor of persons—

It has absolute, full, and complete control of every phase of labor from the moment of birth until the eighteenth birthday. It follows that it can thus lengthen the hours so as to interfere with the school hours, which vary in the different States. In other words, the power given can readily be so used as to impinge upon the reserved power in the States that care for the education of their children. If it can limit the hours of labor, Congress can then provide when those hours of labor shall start and stop. That is to say, Congress will be empowered not only to state the length of hours a child may labor but it may, if it chooses, establish seasonal periods for those hours.

As suggested the other day by the senior Senator from New York [Mr. WADSWORTH], this amendment, passed and transformed into statutory power, gives really complete control of the educational system of this country, whether public schools or private schools, and one can not get away from it.

If this amendment should be adopted, then all the members of these many associations or societies who are advocating the measure will rush down here to Washington to get a job, claiming that they have superior knowledge of the subject because, forsooth, they have been able to secure the adoption of this resolution. Surely the Senators have not forgotten the argument advanced by Wayne B. Wheeler regarding the persons to be employed in the enforcement of the Volstead Act. It will be remembered that the question arose as to whether the civil-service rules should be conformed to in selecting the officials to administer this Volstead Act, and to this Mr. Wheeler objected, because—

> It is an absolute necessity that enforcement agents be prohibitionists by conviction and in practice, and under the impersonal civil service law there can be no guaranty they will meet this requirement.

No one can forget that as one of the results of Mr. Wheeler's request the civil-service regulation was not made a part of the Volstead Act, and the conduct of the persons appointed to administer this act is to a large extent the cause of the great and admitted scandal in connection with the administration of the Volstead law.

I submit that it is not an unfair thing to suppose that the advocates of this resoution may have ideas similar to those of Mr. Wheeler, and, if their ideas prevail, unqualified or even disqualified persons would be appointed to administer the law, with the unquestioned result of gross scandal and inefficiency.

True, the subject matter of the eighteenth amendment is not the same as that of the pending resolution; but facts are facts and precedents are precedents, so the future may in part be easily foreseen.

The attitude adopted by the proponents of this measure is that nobody but themselves knows all the inward details of this proposition, and therefore that they, and they alone, are the repositories of knowledge necessary to put into effect the laws to be passed in the event of the adoption of this amendment.

Incidentally—and I am not talking about prohibition when I say this or the Volstead Act—we all know it to be a fact that Mr. Wheeler and his organization sought to fasten the officials of his Anti-Saloon League upon the Federal Government as Federal officials under the terms of the Volstead Act, and by the same token—and we have had the experience—these good people will come rushing down here and tell us that we do not know what we are doing; that they alone have knowledge on this subject; and therefore that their people shall be put in power so far as the provision for officials under these proposed acts is concerned.

The power to regulate, limit, and control could be so used that the hours of labor of a child could be made dependent upon the hours of labor of adults on the same class of work. Again, the hours of labor of a child under such a proposition could be made to depend upon the character and amount of hours contributed by an adult upon the same job. In other words, the labor of adults where children are engaged upon the same job can and will be regulated, limited, and controlled by the Federal Congress.

This opens up another field which the proponents of this law do not seem to have touched upon, and that is this: If, as this amendment proposes, you can limit, regulate, and control the hours of labor of a child, you can make that limitation enter into every single suggested piece of work on which child labor is used which will impinge upon and control the labor of adults. I submit that the proposition is perfectly logical, perfectly plain, and I further submit with regret, but as a fact, that it will be so utilized.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Georgia?

Mr. BAYARD. I do.

Mr. GEORGE. If the Senator will permit me, I call his attention to the fact that that is the undoubted foundation of the decision of the Supreme Court in many cases, and notably in the case dealing with the eighteenth amendment, the Volstead Act. If there is power given to the Federal Government to do a particular act, it may do everything reasonably intended and adapted to that end. If this amendment is passed and becomes a part of the Constitution, the power to regulate and to limit and to prohibit the labor of persons under 18 years of age will necessarily carry with it the power to regulate any industry in which they labor——

Mr. BAYARD. Unquestionably.

Mr. GEORGE. And the labor of adults in the industry in which they are permitted to labor. Under the line of decisions heretofore laid down by the Supreme Court that will be the necessary ruling of that court and the correct decision of the court so far as that goes.

Mr. BAYARD. Let me cite to the Senator an instance of a possibility under this law. Do not forget that up to the eighteenth birthday the labor of young men and young women, assuming that they are between 16 and 18, can be so controlled that the law may say that unless certain things occur in a factory manufacturing a most important article of commerce, those young people between 17 and 18, we will say, can not be employed as messengers to work even five hours a day. It is really tremendous when you stop to think of it.

Mr. REED of Missouri. Mr. President——

Mr. BAYARD. I yield to the Senator from Missouri.

Mr. REED of Missouri. May I call the Senator's attention to the fact that the right to prohibit labor altogether embraces the right to name every condition upon which labor may be performed? That is, Congress can say it is prohibited unless certain things are done.

Mr. BAYARD. Unquestionably.

Mr. REED of Missouri. And that would involve the right to provide that labor should not be performed for less than a certain wage; so that the power to fix wages is involved in the power to prohibit.

Mr. BAYARD. Undoubtedly the Senator is correct. The power given by this proposed amendment is absolutely limitless.

Mr. REED of Missouri. Likewise, the power follows to say that a child might labor, and yet that it could not learn the work of an apprentice at a trade until after 18. Is there any limit to the employments which may be given to the power to prohibit absolutely? Is there any limit to it?

Mr. BAYARD. As I see it, I will say to the Senator, it is absolutely limitless. This must present to anyone who will give reasonable thought to the subject the possible use and abuse by congressional legislation of power over our whole economic situation in this country; for we will be able to so condition the hours of child labor as to impinge upon every phase of every industrial and agricultural pursuit in the country. This applies to agriculture as well as to industry.

One industry may advance at the cost of another industry, and one industry may be handicapped or depressed to the advancement of another industry. The opportunity thus sought to be created is absolutely limitless and would be clothed with such a far-reaching potency that if put into effect would destroy every vestige of individual liberty in industrial or agricultural pursuits.

I hesitate to go into the details in regard to this, Mr. President; but, if one will only stop and think for a moment, the situation which will confront us if this amendment becomes part of our basic law and statutes are passed under it can be described by no other word but the word "frightful." "Tyranny" would be a mild misnomer for the powers exercised by Congress in the utilization of the authority granted under this amendment.

Besides this the resolution in its terms is so broad that laws may be passed thereunder which would allow the taking of the almost physical possession of the infant child of a few months old to its eighteenth birthday and so arranging the hours of labor for the children of every single parent in such a way as not only to break up the entire economic relation but unquestionably with a further and frightful result of severing the family relation founded upon natural love and affection. Parent would be set against child, and child would be set against parent; and if anybody had given years to the study of it they could not have evoked a better means of disrupting the Government of this country.

If, as I say, parents and children are to be set at enmity with one another from early childhood, disrespect for law and order will not only be ingrained in the children, but placed there by the operation of Federal statutes. What hope can there be for law and order in the several States, or for respect for government in the several States, much less respect for the Federal Government.

In seeking to accomplish their ends, these good people call to mind one of Æsop's Fables. It will be recollected that a man once befriended a bear, and thereafter, the bear accompanied the man in his wanderings and sought to give him every comfort and help in his power. One day, the man fell asleep, and as the bear sat watching and guarding him, he saw a fly walking across the man's nose. The bear in his eagerness to show his affection for the man picked up a huge stone and crushed the fly. Just as the bear in his mistaken effort to show his affection to the man killed him, just so the proponents of this measure in seeking to ameliorate the condition of children engaged in labor will crush the very spirit of the institutions of our country and create such a chaos in our body social and our body politic as will make even the worst phase of child labor appear like a beautiful dream.

If this resolution is passed, there will necessarily follow statutory provisions for putting it into effect. Under these enabling statutes will come provisions for the appointment of persons to administer the same. These persons will be appointed with or without advice or consent of the Senate, as the statutes may provide. And now I desire to present to the Senators some possibilities which may arise:

Assuming that the officials to administer the enabling statutes, or at least some of them, are to be appointed by the President, with the advice or consent of the Senate, recent actions in this body has shown not only the possibility, but the probability of such appointments that would create race antagonism

in the administration of the law, with results which can readily be foreseen.

Assuming, if you please, that the appointments of the administrators of these laws would not require the advice and consent of the Senate, then immediately preceeding a campaign for delegates to a national political convention a wholesale series of such appointments could, and I doubt not would, be made for purely political purposes, with results which many of the Senators and their millions of constituents would resent in no uncertain manner. This suggestion which I make, and it can not be glanced over and put to one side, creates a possibility in every State of the Union for the arousing of race antagonism. I, therefore, beg of the Senators to deeply ponder before they give their assent by their votes to this proposed measure.

I did not mean to paint an unhappy picture when I made those last few statements, but there is the possibility. We saw brought about the other day the appointment of Walter Cohen to a fairly high position under the Treasury Department down *in New Orleans* for one purpose only, and everybody knew it. It was not for his beauty, it was not for his ability, it was not for his character and reputation; it was because he is a political adjunct. It could be only one thing. In the State of Louisiana he was powerless to help the Republican Party to administer the laws either efficiently or ably, or in any way touch the Republican Party's reputation for the administration of laws, but he was of most valuable assistance in securing delegates to the national convention. That can be multiplied as many times as you please, particularly so if the appointments do not require the advice and consent of the Senate.

As I said, with the power given these people, they can, white or black, come into the household, and from the infant on up to the child of 18 years of age, regardless of sex, in their official capacity they can lay the hand of the law upon them. It is not a very pretty picture, but it is a fact, and has to be met.

The junior Senator from Wisconsin [Mr. LENROOT] referred to the tremendous number of very respectable organizations throughout the country which are advocating this measure. I, in common with other Senators, I suppose, have received communications from some of them. I have one in my hand, signed by the proper officials on behalf of these organizations, some 19 in number.

I would suggest this, that all of these organizations seem to get their information entirely from the National Child Labor Bureau; that none of them speak of their own knowledge. They all speak by secondhand knowledge, and they speak vehemently, and are very aggressive.

For instance, I hold in my hand a communication dated May 10, 1924, signed, as I said, by some 19 of these organizations. The letter is addressed to me personally, and among other things they state:

> One misconception seems to be that the amendment itself is a prohibitory or a regulatory measure.

If the words of the amendment itself mean anything, they mean exactly that. It is both prohibitory and regulatory. But they go on and say:

> On the contrary, the measure is an enabling act. Its first section reads:
>
> "The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age."

I state this, that these good people—and most of them are ladies, and I think these organizations for the most part are ladies' organizations—evidently had that fed to them. They have taken the thing for granted because they were told that it was so; but on the face of it, it shows two things. In the first place, they did not examine what was given to them. In the second place, what they said is absolutely untrue—and I do not think they knew it to be untrue, but, nevertheless, it is untrue. In the next place, it shows their absolute ignorance in regard to the purport, intent, and the result of the adoption of this amendment.

In other words, they are taking everything on faith given them by other persons, and they themselves have not looked into the matter at all.

I have also received a number of copies of a magazine called "The American Child," published by the National Child Labor Committee of New York. That committee seems to be the backbone and the clearing house for all the information gathered together and put out. I find in the number of June, 1924, a table showing the vote in the House, the names of all the Members of the Senate, their addresses, and the statement:

> Now write to your two Senators.
> The Senate has not yet passed the amendment.
> Write or wire your Senator.
> See pages 7 and 8 for the names and addresses of all Senators.

I find also in other copies of this publication some very interesting things. In the April number for 1924, which was sent to me by the American Child Labor Committee of New York City, I find on page 2 an article entitled, "What the Shortridge-Foster constitutional amendment is not."

That is the amendment now under consideration. Then they give six statements as to what this amendment is not. I desire to read some of those and to comment on them, because if they come from intelligent people my only answer is that they do not know anything about the subject. If they come from intelligent people who do know about the subject, then my answer is that they are making deliberate misstatements in regard to this matter for the purpose of deceiving. I read:

> 1. The Shortridge-Foster constitutional amendment is not a child labor law—its purpose is simply to declare that Congress shall have the power to do the very thing that Congress has twice undertaken to do.

Simply to declare that Congress has the power. If it simply were the purpose to declare that Congress had the power, we might stop there; but that is hopelessly misleading. It does not undertake at all to show, in this reason No. 1, the tremendous power sought to be given.

Mr. FLETCHER. Mr. President——

Mr. BAYARD. I yield.

Mr. FLETCHER. If Congress twice undertakes to cover this whole field without any constitutional power, what does the Senator suppose Congress will do if we vest it with unlimited power?

Mr. BAYARD. That is what I am coming to.

> 2. It is not a reflection on the United States Supreme Court. It undertakes to remove a limitation on the power of Congress which the Supreme Court declares exists.

In other words, the court has said that the laws which were brought up before it for examination as to their constitutionality did not come within the terms of the Federal Constitution, and therefore were inoperative.

> It undertakes to remove a limitation on the power of Congress which the Supreme Court declares exists.

That is really true. I do not think it is meant to be a reflection upon the Supreme Court, but it does more than that. You might think it would stop there. It undertakes to give Congress and the Supreme Court of the United States a chance at the law, because after all these laws will come up, and this thing is so broadly drawn that I venture the statement that the Supreme Court of the United States will have no difficulty whatever in passing upon almost any law that you can conceive of, under the broad terms of this amendment, which would cover the question of labor and other questions as well, as I stated a moment ago.

> 3. It does not propose to forbid child labor under 18.

By its very terms the amendment says "to prohibit." What does "prohibit" mean unless it means forbid? I continue reading:

> It merely intends to give Congress discretionary power regarding the labor of children up to 18, but not beyond. In other words, while every State has unlimited powers (within the bounds of reasonableness) over labor conditions, it is proposed to give Congress similar power except that it shall not apply to any person beyond 18 years of age.

That is not so, because by its very terms, in section 2, and, as a matter of fact, by the potency of the Federal Constitution, every Federal provision will override every State provision. That in itself is a misstatement, to call it by no harsher term. But it is worse than that. It is a bitter deception on the part of this body of the good people who publish this paper.

> 4. It is not expected that Congress under this grant of power will pass legislation affecting children up to 18, although it might be considered wise to forbid boys under 18 to operate railroad locomotives or mine elevators, for instance.

"It is not expected." Why in the name of Almighty God do they put in the words "up to 18 years"? Why do they try to clothe Congress with power unless they expect Congress to utilize that power? Why do they present this very matter here before us as a subject of the utilization of this power

unless they expect the Congress to utilize it? That is a misstatement on the face of it.

5. There is no point to the objection that this gives Congress power to forbid young people working on the home farm until they are 18.

It includes everybody, every female and male under the age of 18 years. From the time they are a minute old up until they are 18 years of age, Congress has complete control of these children, and there is no gainsaying that.

Mr. KING. And all kinds of labor.

Mr. BAYARD. Oh, all classes, of course.

Since only two or three States now attempt in any way to control child labor in agriculture, the fear that Congress would go beyond the prevailing sentiment of the people is without foundation.

Experience is a pretty stern school, and experience has shown that Congress, where it had the power, has enacted legislation on almost every conceivable subject, and many times it has enacted legislation upon subjects over which it had no power. This was one of the subjects, and the Supreme Court determined the question very properly.

Mr. KING. Mr. President, will the Senator yield?

Mr. BAYARD. I yield.

Mr. KING. I suppose the Senator is aware of the fact that many of the socialists, like Mrs. Kelley, who is a follower of Karl Marx in communism, and others who have been promoting this legislation, originally designed to have the amendment cover persons up to 21 years of age, and doubtless would have urged it before the committee if they had believed they could succeed.

Mr. BAYARD. But does not the Senator see how cunning this is? They undertake to take child labor up to 18, but as a matter of fact they affect the labor of the Senator and myself and everybody else, no matter how old we may be.

Mr. KING. Of course it is obvious that under the guise of the amendment they will in time take charge of children the same as the Bolsheviks are doing in Russia, and control not only their labor and their education, but after a time determine whether they shall receive religious instruction or not, the same as the Bolshevists do in Russia. It is a scheme to destroy the state, our form of government, and to introduce the worst form of communism into American institutions.

Mr. REED of Missouri. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Missouri?

Mr. BAYARD. I yield.

Mr. REED of Missouri. The Senator from Utah, I believe, made a trip to Russia and studied its institutions and is acquainted perhaps with some of the propagandists who are back of the pending measure. Something has been said to-day about some manufacturers being against it. I would like to ask him what he knows about people being in favor of the pending measure who believe in the Russian Bolshevik idea of the State taking charge of the children?

Mr. KING. If the Senator from Delaware will pardon me, every Bolshevik, every extreme communist and socialist in the United States is back of the measure. The Bolsheviks of Russia were familiar with the scheme that was about to be launched to amend our Constitution. In conversation with one of the leading Bolsheviks in the city of Moscow, one of the educators, when I was there last September and October, I was remonstrating with him about the scheme of the Bolsheviks to have the state take charge of the children. "Why," he said, "you are coming to that," and he called my attention to the statutes in many of the States in regard to compulsory education. Then he said, "A number of socialists in the United States," and he mentioned a number of names, but I shall not mention them here, "are back of the movement to amend your Constitution of the United States, and it will be amended, and you will transfer to the Federal Government the power which the Bolshevik Government is asserting now over the young people of the state."

Of course, this is a communistic, Bolshevistic scheme, and a lot of good people, misled, are accepting it, not knowing the evil consequences which will result and the sinister purposes back of the measure.

Mr. BAYARD. The sixth reason they give, showing what the constitutional amendment is not, is as follows:

6. The 20 or more national organizations favoring this amendment do not want Congress to include employment of children on the home farm, and would oppose such national legislation.

Well, that is what this paper says. I have been reading from the April number, and I shall have occasion in a few minutes to read from the June number, and Senators will find a wonderful change has come over them. There is nothing here beyond the bald statement that "the 20 or more national organizations favoring this amendment do not want Congress to include employment of children on the home farm."

I do not believe that is true and for this reason: Human nature is human nature. We will find brutes anywhere, and it may be that on a home farm we would find some brute whom God Almighty has bereft of his wife and left with some little children. He may be a very brutal fellow with those children in the work he requires them to do. Can anybody persuade me that these people would not step in there in half a minute and undertake to stop that man's brutal use of those children by overworking them on the farm? I would not criticize them if they should do that properly, but the point I make is that what they would do, as shown by the presentation of their case, would be to tell us that 600,000 children are working on the farms, and they would say they found this condition on one or more farms, and then talk about all the farms and attempt to lead us to believe that the 600,000 children working on home farms were all subject to such cruel treatment, and therefore they should have the right to invoke the power of the amendment, and they would then step in and have particular legislation touching the operation of farms.

Mr. REED of Missouri. May I ask the Senator a question?

Mr. BAYARD. Certainly.

Mr. REED of Missouri. The Senator is an accomplished lawyer. Does he know of a State in the Union where there are not now plenty of laws to punish any parent for the abuse of his children by overworking them or by any other means?

Mr. BAYARD. Oh, unquestionably so.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Georgia?

Mr. BAYARD. I yield.

Mr. GEORGE. I dislike to interrupt the Senator from Delaware, but I would like to commend to him and to the Senator from Missouri, because I understand he expects to discuss the question, one additional illustration of what the amendment is not, as sent out by the National Child Labor Committee of New York, which the Senator from Delaware has very correctly appraised as a clearing house for information on this question. That additional reason is that the child labor amendment is not a law to wipe out the labor of all persons under 18 years of age, and the choice of 18 years as a limit was selected by the proponents of the measure for the following reason, and it is a reason which I wish to commend to the Senator:

The 18-year limit was set because of the supreme importance of permanence in the Constitution of the United States.

After prophesying the growth of industry and of machinery that should not be handled by exceedingly young persons, it is reiterated:

It is because of our reverence for the Constitution that we want to avoid this experience in connection with the Federal child labor amendment.

That is to say, this committee which is now actuated by a regard for the "supreme importance of permanence in the Constitution" have selected the high age of 18, according to their statement, because they do not want to amend the Constitution later, and give to the Federal Government power to prohibit the labor of any person without regard to age.

What I wanted to emphasize was the apparent lack of frankness on the part of this committee when they said that they have selected the 18-year period out of their reverence and regard to the "supreme importance of permanence in the Constitution."

It is the most marvelous statement that I have read on this question—"permanence in the Constitution"—and they now place it at 18 and give warning that they might extend it to 50 if it becomes necessary in their judgment. But the committee assures us that Congress will never exercise the power conferred, and it is reassuring to have the National Child Labor Committee give us assurances like that. One may rest in perfect confidence upon the assurance of the committee, especially after the frank and very commendable regard that they displayed to the "supreme importance of permanence in the Constitution"—a committee which, unless I had seen this statement, I would have been inclined to believe had no sort of reverence for the whole American system of government; but they assure us they have selected now a high age in order to preserve the supreme importance of permanence in the Constitution. That I think is a matter which ought to be commended to the consideration of the Senate.

Mr. BROUSSARD. Mr. President, with the permission of the Senator from Delaware, I would like to supplement the remarks made by the Senator from Georgia, which I think may be an explanation of their accepting less than 21 and agreeing on 18 years of age. As a member of the Committee on Naval Affairs I know that we were petitioned to increase the age of enlistment to 21. The law is that young men of 18 years of age may, without the consent of their parents, enlist in the Navy and Army, and the Government has already agreed that that is a valid enlistment, although the age fixed in the respective States as the age of majority is usually 21 years. Therefore the plan and theory, I am convinced, is that the National Government shall have supervision over those under the age adopted by the respective States, that is, 21 years, for the National Government has already accepted and is now enforcing the control by the National Government of those under the age of 21 and as young as 18. Why should not those who want to take control over the baby from the cradle accept 18 years as the limit, so as to deprive the parents entirely of all control over their children, and when they turn them loose let the Government take them and put them in the Army or Navy before they come to 21 years of age?

Mr. BAYARD. During the latter part of the month of April, when I received the bulletin to which I have referred, I also received a leaflet giving five other statements of what the child labor amendment is not. I shall not read them all, but I shall read some of them:

2. It does not prohibit the employment of children under 18 years of age.

Why, the amendment itself is said to be for the purpose of prohibiting, regulating, and controlling. It merely gives to the Congress the limit of its authority. It does give the limit, and I think it goes beyond the limit.

Mr. BROUSSARD. I think the Senator said it limits employment; but if the Senator will read the hearings, he will find that the word "employment" is purposely left out, and the reason given was that "employment" meant remuneration, and therefore that the father or mother might permit the child to work. They have eliminated that and used the word "labor," so that the child can not be permitted to do anything at all.

Mr. BAYARD. It merely gives Congress that limit on its authority, if, for instance, it should be deemed necessary to regulate or prohibit the employment of boys and girls in certain occupations involving moral or physical strain.

I had called attention to a part of the sentence, the remainder of which is as follows:

Since the amendment is for all time, it must be general in its terms.

Anyone can see what they really meant. They run that one poor little sentence, or one vicious sentence, at the end of the second statement, and that is the gist of the whole thing:

Since the amendment is for all times, it must be general in its terms.

God knows this amendment is general in its terms!

3. It does not interfere with girls helping their mothers with the housework nor with boys helping their fathers with the chores.

Mr. REED of Missouri. Why?

Mr. BAYARD. They give no reason; but full power is given to break families into pieces if they want to do so.

Mr. OVERMAN. A good woman called me out in the lobby just now and asked me whether, under this amendment, power would be given to Congress to prohibit her daughter helping her in the kitchen to do the cooking or to act as a maid servant. I told her that the Senator from Delaware was just now arguing that question and contending that it would apply to everybody—to children in the home, to domestic servants and to everybody else.

Mr. BAYARD. Paragraph 3, after reciting or pretending to state that this proposition does not interfere with the household work and the relations between children and parents in the household, goes on to state that—

The two child labor acts which Congress formerly enacted included only employment in mines and quarries, mills, factories, workshops, and manufacturing establishments.

In other words, they desire us to believe, if they can by making this statement, that the whole purpose of the pending measure is to be confined to manufacturing or mining operations, as the case may be, but will not impinge at all upon any other relations in life which children under the age of 18 may have.

4. It is not a leap in the dark.

No, I do not think it is a leap in the dark when one stops to think of it. I think if we go into this thing we can go into it with our eyes open; and if we had the most tremendous imagination ever given to man we could not begin to paint the frightfulness of the picture of what could and would happen if this proposed amendment became part of our basic law. The statement proceeds:

We know from experience what the effect of a Federal child labor act has been. The first and second child labor acts gave protection to thousand of children who are now without it.

They seem to discount the fact that in the meantime, since the passage of those two acts, the States have swept up underneath and have taken the place by their legislation of the very subjects which the Federal laws were supposed to cover.

National interest in the Nation's children, instead of resulting in indifference on the part of the States, either in enforcing the existing State laws or in raising State standards, actually increased State interest and State responsibility.

Then, if they did that, and they got what they wanted, why should they come to Congress and ask for an amendment to the Federal Constitution, when they admit that the States, on their own initiative, have gone ahead and raised their standards in regard to this particular matter?

The extraordinary part to me, Mr. President, is that so many of these organizations are composed of women. That in itself is not startling, but the point I am coming to is that these good women who are so interested in this subject have the power of the vote, and if they would go ahead and exercise that power of the ballot in the several States they would come very close to getting anything they wanted in reason in connection with laws of this character. That has been demonstrated in times gone by.

I myself live in a small State, and it is so closely coupled up that we are all pretty much neighbors. So when the legislature meets we all know to a great extent what goes on; every measure there is discussed to a considerable extent throughout the length and breadth of the State. I myself, from experience, have known for the last 25 or 30 years that it has been infinitely easier, even before the nineteenth amendment was passed, to get results by having some good women interested in a measure to go down, say, a half dozen or a dozen of them, and secure a joint session of the Delaware Assembly and let them present their own case in their own way. I know from experience we would get that measure on the statute books ten times faster than if the men themselves undertook to secure its enactment. If there be merit in their contention, what is there to prevent them from going before the State legislatures to-day? Now they have the power of the vote, if you please. Previously they could only appeal and come in righteousness, but now they can threaten politically and get what they want. But, no; they prefer to come down here, because they know that the States will not give them this broad power which they ask, and they must know that the States will not give them such broad power because the States should not do so.

5. It does not impair the power of any State to give greater protection to its children than that which Congress may see fit to embody in future Federal legislation.

Well, that is rather absurd when one stops to think of the fact known to everybody, or which should be known to everybody, that of course a law of Congress passed under such circumstances is absolutely paramount to the laws of the State.

In the June number of this magazine they seem to have gone back on their original statement with regard to agriculture. I find in the June number several statements from which I will quote; I will not read the whole article. On page 2 it is said:

The National Child Labor Committee has no intention of trying to secure any Federal action to regulate the work of children in agriculture under the direction of their own parents on their own farms.

Again:

We believe that the employment of children in general agriculture by their parents or guardians on the home farm differs so materially from that found in manufacturing, mining, and commercial pursuits that its control and correction require different methods.

But note the fact that though "its control and correction require different methods," they have not let go of the power of exercising whatever methods they please.

The National Child Labor Committee seeks to protect the interests of the child, and it can not remain true to its past traditions without recognition of the fact that thousands of children are now and are likely to be in the future exploited by an industrialized agriculture.

And yet they have stated, as I read here a moment ago, that they had no intention of trespassing upon the field of agriculture. That was in the April number, while now I am reading from the June number. Again:

Whenever conditions inimical to the welfare of the child appear in agriculture—

And I assume this committee is to determine when they appear—

this committee stands ready to reveal such conditions and to strive for their elimination and correction.

That means further congressional action by way of legislation.

When this goal can be achieved without legislation nonlegal policies of correction will be pursued. When legislation appears to be the only means of establishing principles of general justice this committee will strive to create a public opinion favorable to such legislation, which under normal conditions would probably be State or local legislation.

In other words, what they mean, as I see it, is this: They will go to the States and say, "You may think you have a perfectly good law, but we have set a standard which we think is the best one; now you come across and come up to our standard or we are going down to Washington, and we will have a Federal law passed from which you can not get away, and we will be appointed to administer that law. That is a fine American spirit, is it not?

Further:

It is now clearly evident that where children are forced to work under contract in industrialized forms of agriculture some form of legislation is needed to protect their interests.

And yet they said in the April number of the magazine that they were not to go near the farm. I might state that this particular article was gotten out in a leaflet form just before the issue of the June number and was released on May 26, 1924. The official statement as to agriculture is the one I have previously quoted. The one from which I am now reading is in two columns and is in regard to the twentieth anniversary of the Child Labor Committee in connection with which they state—and this is an interesting statement—

The National Child Labor Committee is gratified by the progress of child-labor reform during its 20 years of work. We believe much of this reform has been due to the aggressive yet considered policy of the committee, but still more to the constant growth of public intelligence on this subject.

I think they are absolutely right in regard to that; I think they have done a splendid work in agitating this question; but they do admit, unwillingly and haltingly, that there has been good progress made by the natural intelligence of the American people, when they have considered this subject in the State legislatures.

What I object to about the publication which I have just been reading is that it is not a fair presentation of the case; it is partly a suppression of evidence; it is a distortion of the evidence and a distortion of the facts; it is a deliberate attempt, as I see it, to conceal from the public the real potency and far-reaching result of this proposed constitutional amendment.

RATIFICATION BY CONVENTIONS

Mr. President, I have sent to the desk an amendment to the joint resolution, and, if this be the proper time, I should like to offer it, as I understand the joint resolution is pending before the Senate. I ask the Secretary to read it.

The PRESIDENT pro tempore. The Senator from Delaware offers an amendment, which will be stated.

The READING CLERK. On page 1, line 5, it is proposed to strike out the words "the legislatures of" and to insert in lieu thereof "conventions in."

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from Delaware.

Mr. BAYARD. I should like to discuss that amendment. I do not think it can be acted upon at this time.

Mr. ROBINSON. The Senator wishes to discuss the amendment. I do not understand that it is his desire to have a vote at this time?

Mr. BAYARD. No; that is not my purpose or expectation. There are not enough Senators present to act upon it. I merely want to offer it for action when it may be properly voted upon. My purpose in offering the amendment is to provide that the proposed constitutional amendment, assuming that it shall receive favorable action by the Senate, will be submitted to conventions and not to the legislatures of the States.

The original Federal Constitution was adopted in the several States entirely by conventions elected for that purpose, and when the first 12 amendments were adopted there were then living, to a great extent, the men who had framed the Constitution or had been in close touch with it or perhaps had been in the conventions which had ratified it. So that there was a positive knowledge at that time of what those amendments meant. As a matter of fact, we all know that many of those amendments were conditions precedent to some of the States adopting the Federal Constitution in the first place. So at that time, even if the States did not act upon the amendments by conventions in all instances—and some of them did it by legislatures—yet, as I have said, there was general knowledge of our form of government and what an amendment to it meant.

So the Constitution remained until the Civil War, and then we had this tremendous rush and hurry growing out of that, with the result that the thirteenth amendment—and this was ratified by legislatures—was passed by Congress on the 1st of February, 1865, and was ratified by the necessary number of States on December 18, 1865. It is impossible to conceive that the legislators in the several States, many of whom must have been elected prior to the passage of this amendment, had the slightest idea of what it meant, or that the people who sent them by their votes to the State legislatures knew that they were sending them there to vote on this amendment.

The fourteenth amendment was passed on the 16th of June, 1866, and ratified July 28, 1868. It is needless to go into the reconstruction days; but we all know absolutely that the matter was seen from such a point of view at that date that no fair consideration was given. It went as a matter of course.

The fifteenth amendment was submitted to the legislatures on the 27th day of February, 1869, and was ratified and declared by the proclamation of the Secretary of State on March 30, 1870. In the ratification of that amendment by the several States we know of one instance, anyhow, where a State legislature ratified it before it passed Congress.

Had any one of these matters, from the thirteenth, fourteenth, or fifteenth amendment up, been sent to the several States for ratification by conventions, I question if the thirteenth, fourteenth, and fifteenth amendments would have been ratified. The sixteenth, I think, probably would. The seventeenth, I think, would. I question very much whether the eighteenth and nineteenth would; and I am not undertaking to animadvert upon the purpose or the form of these amendments. I merely state exactly what the facts are.

Let me call your attention, Senators, to the last two amendments.

In Missouri and California, the legislatures which voted to ratify the eighteenth amendment, were elected at the same time that a popular referendum was had in those States on prohibition. The popular referendum voted down prohibition by large majorities, yet when the matter was presented before the legislatures thus elected the legislatures voted to ratify the eighteenth amendment. That shows what it is like. There you have the people speaking by their referendum on this one subject on the same day that they elect legislators to their State legislature. To that legislature, so elected—and you must assume that the same people voted at that election—is submitted the ratification of the eighteenth amendment. These States, having voted against prohibition, have these legislators, elected on the same day, vote for prohibition by ratifying the amendment, so far as that State is concerned. The point I am trying to make is that in matters of affirming or rejecting amendments proposed to the Federal Constitution, the legislatures do not fairly reflect the sentiment of the people of the States.

In Ohio, on a referendum had after the legislature had ratified the eighteenth amendment, the people voted to repudiate the ratification. The legislature was not elected on that issue at all, and when it was submitted to the people of Ohio themselves they said their legislature did not represent them so far as that was concerned. Curiously enough, at the same referendum election the people of Ohio, by a large majority, voted to adhere to local prohibition. Now, note that distinction. When the matter was put up to them the people were keen enough to say, "Yes; we want local prohibition in Ohio, but we do not want national prohibition"; and yet the people elected to the legislature at the same time this voting was going on turned around and gave them national prohibition.

I submit that the facts show that the people elected to the legislatures do not reflect the calm, considered judgment of the people of the States.

Mr. ROBINSON. Mr. President, will the Senator yield for a question in that connection?

Mr. BAYARD. I yield.

Mr. ROBINSON. Has there been any instance in which a proposed amendment to the Federal Constitution has been submitted to conventions in the several States?

Mr. BAYARD. I will state very frankly to the Senator that, beyond the fact that there is a provision for such conventions in the original Constitution itself, I do not know. I think some of the first 10 were submitted.

Mr. ROBINSON. Is it not true—I am asking for information, but my impression is that the first 10 amendments were all submitted for ratification to the legislatures of the several States, and, in fact, submitted at the same time, or substantially at the same time? They were all, unless I am mistaken, submitted to the legislatures of the several States. Now, if it is true that the legislatures do not as a rule reflect the popular will in their acts of ratification, why is it that throughout the history of the country no other method of ratification has been resorted to?

Mr. BAYARD. I think I can answer that question fairly and state this to the Senator: I tried to make it plain a moment ago that a great many of the conventions which ratified the Federal Constitution ratified it with the distinct understanding and condition, although it is not expressed in the terms of the ratification, that as soon as Congress got going further amendments would be submitted under the plan set up in the Federal Constitution, and then that they would come back to the States; and nearly all those men, as I said a minute ago, were concerned in the Federal convention or in the State conventions which ratified, or in the Federal Congress down here. The whole thing was close coupled, and they all are charged with the same knowledge and reflected the immediate desires of the people of their States.

Mr. OVERMAN. Mr. President, if the Senator will allow an interruption, if you will read the debates of the Constitutional Convention you will find that Mr. Madison and others took the position that as to matters of detail, which did not affect the substance of the Constitution, the amendments should be submitted to the legislatures. Therefore, their idea was, as expressed in the debates, to submit to conventions of the States matters of principle, matters that went to the substance of things, and this is one of them.

Mr. ROBINSON. Mr. President, there is no distinction in the Constitution between an amendment which may be ratified by the legislatures and one which may be ratified by the States in conventions. Whatever may have been the motive of the framers of the Constitution in providing a double process for ratification, the fact is that in every instance in which an amendment to the Federal Constitution has been submitted for ratification the process of submitting it to the legislatures of the several States has been pursued.

Upon an examination of the record I find that my memory respecting the first 10 amendments to the Constitution is right. They were all submitted to the legislatures of the several States in a single resolution, and every amendment that has been submitted for ratification since that time has been acted upon by the legislatures of the several States. The convention plan never has been employed at all. What I am interested in knowing is, if the convention plan is such a good one and so thoroughly calculated, as the Senator states, to reflect the popular will, and the legislature plan is such a bad one and so calculated to reflect the contrary of the popular will, why the people have never insisted upon having ratifications through conventions but have always acquiesced in ratifications through State legislatures.

Mr. BAYARD. I shall have to repeat to the Senator what I said a moment ago, in part at least, and that is this: In the first 10 amendments the same general crowd or aggregation of men had control of the whole situation, if you please. They were instrumental in getting people to the convention of 1787 in Philadelphia. They all came in contact in their several States with the people who represented them in that way.

They went to their own State conventions which were called to ratify the Constitution; and the political body, so to speak—I mean by that more or less politicians, not the political body in the general, broad sense—was a relatively small one in each State, where everybody knew everybody else, and all knew about these great measures at that time; and, if you please, as I conceive the situation, they all knew about these things even before they came off; so there was a real reflection of an expressed desire, so far as the several States were concerned, when the first 10 amendments were ratified.

I call further attention to the fact that 30 of the legislatures were called into special session for the sole purpose of passing upon the nineteenth amendment, and were not at the time of their election confronted with the possibility of having to pass upon this measure. It was an exhibition of indecent haste, for purely political purposes, in order to secure the women's vote. Everybody knows that—that the nineteenth amendment was put up as a bait to the women, and as party bait. I may be using a very crude term, but it was; and I want to submit here a sheet, which I ask permission to insert in the RECORD, showing the vote on the nineteenth amendment.

The PRESIDENT pro tempore. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

THE RECORD OF WOMAN SUFFRAGE

WOMAN SUFFRAGE STATES (15)

(By grant at polls)

Arizona, 1912; California, 1911; Colorado, 1893; Idaho, 1896; Kansas, 1912; Michigan, 1918; Montana, 1914; Nevada, 1914; New York, 1917; Oklahoma, 1918; Oregon, 1912; South Dakota, 1918; Utah, 1896; Washington, 1910; Wyoming, 1890.

Total, 15.

Total majority for, 244,380.

PARTIAL SUFFRAGE STATES (14)

(By act of assembly)

"Presidential" suffrage States (12): Illinois, 1913 (upheld, Illinois Supreme Court, October, 1914, Scown *v.* Czarneki, 264 Ill.); Indiana, 1917 (held unconstitutional, Indiana Supreme Court, Indianapolis *v.* Knight, October 26, 1917, 117 N. W. Reporter 561); Kentucky, 1919; Maine, 1919; Minnesota, 1919; Missouri, 1919; Nebraska, 1919; North Dakota, 1917; Ohio, 1919; Rhode Island, 1917; Tennessee, 1919 (upheld, Tennessee Supreme Court, Vertrees *v.* Election Board, July 26, 1919, 214 S. W. Reporter, 747); Vermont, 1919 (vetoed by Governor Clement, and veto upheld, March 28, 1919).

"Primary" suffrage States (2): Arkansas, 1918; Texas, 1918 (upheld, Texas Supreme Court, Koy *v.* Schneider, January 29, 1920).

MALE SUFFRAGE STATES (33)

Voted against suffrage (14): Arkansas, 1918; Iowa, 1916; Louisiana, 1918; Maine, 1917; Massachusetts, 1915; Missouri, 1914; Nebraska, 1914; New Jersey, 1915; North Dakota, 1914; Ohio, 1912, 1914, 1917; Pennsylvania, 1915; Texas, 1919; West Virginia, 1916; Wisconsin, 1912.

Total, 14.

Not voted (19): Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Minnesota, Mississippi, New Hampshire, New Mexico, North Carolina, Rhode Island, South Carolina, Tennessee, Vermont, Virginia.

Total, 19.

Total majority against, 990,868.

Total States against or not voted, 33.

ACTION ON FEDERAL SUFFRAGE AMENDMENT

STATES WHICH HAVE RATIFIED (38)

In special sessions, male-suffrage States (30)

Ohio, June 10, 1919; Texas, June 29, 1919; Iowa, July 2, 1919; Missouri, July 3, 1919; Arkansas, July 20, 1919; Nebraska, August 2, 1919; Minnesota, September 8, 1919; New Hampshire, September 10, 1919; Maine, November 5, 1919; North Dakota, December 1, 1919; Indiana, January 16, 1920; New Mexico, February 19, 1920; West Virginia, March 10, 1920; Tennessee, August 19, 1920; Connecticut, September 20, 1920.

Total, 15.

In regular sessions, male-suffrage States (8)

Wisconsin, June 10; Illinois, June 10; Pennsylvania, June 24; Massachusetts, June 25.

With new legislatures

Rhode Island, January 6, 1920; Kentucky, January 6, 1920; New Jersey, February 10, 1920; Vermont, January 28, 1921.

Total, 8, of which 4 were "hold-overs" and 4 were new legislatures.

Total ratifying in special sessions, 30.

Total ratifying, 38.

STATES WHICH REJECTED (9)

Georgia, July 24, 1919; Alabama, September 17, 1919; Mississippi, January 21, 1920; South Carolina, January 24, 1920; Virginia, February 12, 1920; Maryland, February 17, 1920; Delaware, June 3, 1920; Louisiana, June 15, 1920; North Carolina, August 19, 1920.

Florida, not acted (1).

Ratified, 38.

Rejected, 9.

Not acted, 1.

Total, 48 States.

All 15 suffrage States ratified in special sessions.

[NOTE: Twenty-three of the ratifications were by male-suffrage States in violation of State constitutions restricting suffrage to men (listed above, 15 in special sessions, 8 in regular sessions). Thirteen of the States also ratified against the vote of their people, listed

above in "voting against," except Louisiana, the only one of the 14 States that voted "no" at the polls, which rejected the nineteenth amendment. Thirty-four of the 38 ratifications were by "hold-over" legislatures elected in most cases two years before the nineteenth amendment was submitted. The remaining 4 ratifications were by new legislatures in male-suffrage States, deliberately violating State constitutions.]

Mr. BAYARD. Of course, I do not mean to be discourteous to the members of the legislatures of the several States, nor to the States in their sovereignty; but it does seem to me that the facts disclose that there was, as I said a moment ago, an indecent haste, for purely political purposes, in passing upon this question of the suffrage amendment, and what would have happened if the amendment had been submitted to conventions I do not know. It is impossible to say, but I venture the assertion that a number of those States which did vote to ratify the amendment would not have done so if the other plan had been pursued. I think that is a safe assertion. The fact is that some of the States refused to ratify it. Here is a curious thing. I call your attention to this, Senators: In 1918 Arkansas had voted against suffrage; Iowa in 1916; Louisiana in 1918; Maine in 1917; Massachusetts in 1915; Missouri in 1914; Nebraska in 1914; New Jersey in 1915; North Dakota in 1914; Ohio in 1912, 1914, and 1917; Pennsylvania in 1915; Texas in 1919; and yet the Texas Legislature turned around and in June, 1919, in spite of the vote of the people of the State, ratified the nineteenth amendment. West Virginia had voted against it in 1916, and Wisconsin in 1912.

I do not desire to take up the time of the Senate longer on this matter, but I ask Senators to read carefully the tables which I have submitted, and, if they will, to look further into the matter of hasty approval by the State legislatures, certainly in recent years, with a distinct expression by the people through their proper instrumentality in the way of a convention or a referendum, as the case might be, upon certain subjects. Having declared their voice on that subject, almost immediately the legislature, which has not been elected for that purpose, but which has the constitutional power, I will admit, turns around and overrides the expressed will of the people of the State.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. BAYARD. I yield.

Mr. ROBINSON. I understand that the Senator's proposal is intended to give reflection to the popular will in the ratification of amendments to the Constitution, and he takes the position that the legislatures, for some reason, uniformly fail to reflect the popular will, or at least frequently do so, even though their members may have adequate information respecting the same, and that the conventions would be more responsive to public opinion.

Mr. BAYARD. That is quite right.

Mr. ROBINSON. If it is desired to reflect the opinion of the people touching matters of that nature, why would not a referendum more accurately ascertain the public opinion than submission either to legislatures or to conventions? It has been said many times that conventions during the last quarter of a century, and prior to the coming on of the primary system of elections, had grown so indifferent to actual public sentiment as to make necessary the replacement of them by a method through which the people give expression to their will directly. It was the unpopularity of conventions, and the alleged unfairness of their nominations and political decisions, that brought about their repudiation, in large part, and the substitution of the primary system.

Mr. BAYARD. The Senator is speaking almost entirely of purely political conventions now.

Mr. ROBINSON. Yes.

Mr. BAYARD. Does the Senator want us to assume that the State legislature of recent years has been a political convention?

Mr. ROBINSON. No; but I am speaking of the convention system. I make the suggestion to the Senator that there is little more assurance that a convention would reflect the popular will than that a State legislature would do so.

Mr. WADSWORTH. Mr. President, at least in this case the delegates to the convention would be elected solely on this issue. There would be no other issue before the people in the selection of the delegates to a State convention to pass upon a Federal amendment.

Mr. BAYARD. That would be the sole purpose of the convention.

Mr. ROBINSON. A convention empowered to ratify an amendment to the Federal Constitution, or to pass upon the question of the ratification, would not necessarily have its jurisdiction confined to that subject. But the point I am making is that if it is desirable and necessary that a body, to ratify, should express the popular will, the best way of ascertaining the popular will is through a referendum.

Mr. WADSWORTH. That is no doubt true, but we have not the right to submit this amendment in such a form.

Mr. ROBINSON. I understand that, but we had before the Senate recently a proposal to amend the Constitution so as to provide for the substitution of a process of popular vote upon the subject in place of the two methods now authorized, namely, ratification by legislative assemblies and ratification by conventions, and we sent the resolution proposing that amendment back to the committee and have taken no action on it.

Mr. WADSWORTH. It has been reported again, and is now on the calendar.

Mr. ROBINSON. Where it will likely remain until the end of the session.

Mr. REED of Missouri. Unfortunately, that is not the rule now. If it were the rule now, and this amendment had to go to a direct vote of the people, while it would involve some work, I have not much doubt about what the people would do.

Mr. ROBINSON. The Senator assumes that this amendment is obnoxious to the popular sentiment?

Mr. REED of Missouri. I have not the slightest doubt that upon a debate, through which the people would understand what is in this amendment, it would be utterly repudiated. I have not the slightest doubt of that. I distinguish between a propaganda which has been financed and has been conducted by a limited number of people, creating a temporary sentiment, and the sentiment of the people when they have been advised with reference to what is really before them.

Mr. ROBINSON. If the Senator will pardon me, of course, I realize that we can not enter into a full discussion at this time, but my judgment is that there has been a sentiment in the United States for the last quarter of a century favoring Federal legislation affecting the subject of child labor, and to suggest some of the grounds upon which I base that judgment, it may be recalled that almost 10 years ago the Congress by an overwhelming vote passed a statute providing for Federal regulation of child labor. The constitutionality of that statute was at the time challenged in this body by able Senators. I myself, as the Senator may recall, took the view that the act should be sustained. By a divided vote in the Supreme Court, by a majority opinion, the act was not sustained, but was held unconstitutional.

Subsequently the Congress passed another child labor act. It sought in the second act to invoke the taxing power as a means of regulation. The Supreme Court held that act unconsitutional. Certainly the overwhelming votes by which these two statutes, afterwards held unconstitutional, were passed through the Congress indicate the existence of popular sentiment in favor of the Federal child labor legislation, unless the Senator from Missouri espouses the doctrine apparently asserted by my friend the Senator from Delaware [Mr. BAYARD] that legislative bodies habitually and persistently reflect the contrary of the public will touching legislative matters, which I do not believe to be the case.

I do not believe a member of a legislature or a Member of Congress would willingly, persistently, and frequently vote for what he knew to be in direct conflict with popular sentiment touching a matter of legislation. I believe that members of legislative bodies usually seek by their votes to reflect the will of their constituencies, and sometimes they do so when they ought to resist the popular will, because the popular will at times may be based on misinformation; but I do not think it is the habit of Members of Congress or the members of State legislatures, like willful, bad boys, to vote to ratify a constitutional amendment when at the time they know that the act of ratification is obnoxious to the constituencies they represent.

I think there is a fundamental fallacy in that assumption, one that is contrary to human experience and human reason. Anyone who hears me will agree that the habit and practice of members of the legislatures is to yield their own views to the will of their constituencies. I believe that Senators will agree with me that Members of Congress and members of State legislatures sometimes cast what they believe doubtful votes, in the abstract, because of a real or fanciful public sentiment in support of their votes; but the doctrine can not be maintained that State legislatures may be relied upon to ratify an amendment of the Federal Constitution if they know that the sentiment of their constituencies is opposed to such ratification. I think they rather seek to reflect the popular will.

Mr. REED of Missouri. Mr. President, I think just about nine-tenths of all the argument in this world arises over a failure of the contestants to discuss the same question. I said that I believed this proposition would be rejected upon debate if it were submitted to a popular vote. The Senator meets that by stating that child-labor legislation by the Federal Government is popular, and cites the two laws which were passed by this body. But those two laws bore no resemblance whatever to the measure now before this body. Those two laws were limited in their operation to a regulation of the labor of children. This proposition seeks to empower the Congress to absolutely prohibit and regulate and limit, not the labor of children but the labor of the youth of the land as well as the children of the land. Therefore when I say I believe this measure would be rejected it does not imply that I would say that a Federal law limiting the labor of children is necessarily unpopular. Neither does it imply that I am opposed to the regulation of the labor of children.

Mr. BAYARD. Mr. President, I would like to have the privilege of finishing my remarks.

The PRESIDENT pro tempore. The Chair desires to observe that in view of the fact that the time for debate is limited upon the pending joint resolution it will feel it to be a duty to enforce the rule, which all Senators understand. The rule to which I refer is that providing that no Senator may speak more than twice upon the same subject upon the same legislative day, and that when he yields to another Senator for more than an inquiry he yields the floor.

Mr. ROBINSON. Mr. President, I hope the Chair will not voluntarily invoke the rule against the Senator from Delaware, who now has the floor, because both the Senator from Missouri and I have interrupted him.

The PRESIDENT pro tempore. The rule to which the Chair has referred has been violated so constantly that it should not be enforced unless due notice has been given that it will be enforced.

Mr. BAYARD. Mr. President, the facts I submitted a moment ago in regard to constitutional conventions were submitted because I thought the matter was a most important matter, and that if this legislation should be passed by the Congress and submitted to the States, growing out of our recent experience with the last two amendments—and I make no comment whatever upon them—we have demonstrated beyond a doubt that our votes do not reflect the thought of the people of the States.

Mr. President, there is but one United States of America, and it belongs to all of us; each has his or her whole right therein, which can not be gainsaid by any or all of the others. The basis of this right grows out of individual citizenship in the several States, for no one is a citizen of the United States at large. If we are to continue the modern and present trend of forsaking the State-rights doctrine and our State rights as well and surrendering to the Federal Government the police and other powers which have been reserved to us, the solidarity, the efficiency, and the continuance of our Government become a matter at stake, and we should well pause before taking any step such as that suggested by this pending measure.

Mr. REED of Missouri. Mr. President, I desire to offer several amendments to the pending measure, and I ask that they be printed in the RECORD in the numerical order indicated.

The amendments were ordered to be printed and to lie on the table, and to be printed in the RECORD, as follows:

To strike out the word "eighteen" and insert in lieu thereof the word "fourteen";

To strike out the word "eighteen" and insert in lieu thereof the word "fifteen";

To strike out the word "eighteen" and insert in lieu thereof the word "sixteen";

To strike out the words "and prohibit" in the tenth line thereof;

To strike out the word "limit" and insert in lieu thereof the word "reasonably," and to strike out the words "and prohibit," so that said section as amended will read:

"SECTION 1. The Congress shall have power to reasonably regulate the labor of persons under 18 years of age";

To strike out section 1 and insert in lieu thereof the following:

"SECTION 1. Congress shall have power reasonably to limit and regulate the labor of persons under 18 years of age and to prohibit such labor in pursuits involving special hazard to health, life, or limb";

To add, after the word "persons," in the tenth line, the words "other than persons engaged in agriculture or horticulture," so that section 1 shall read:

"SECTION 1. The Congress shall have power to regulate and prohibit the labor of persons, other than persons engaged in agriculture and horticulture, under 18 years of age";

To add at the end of section 1 the words "who are engaged in occupations other than agriculture and horticulture"; and

To add at the end of section 1 the words "who are engaged in occupations other than labor performed in homes or upon farms under the direct supervision of their parents."

Mr. REED of Missouri. Mr. President, at this time I give notice that on Monday morning, as soon after the assembling of the Senate as I can obtain the floor, I shall discuss the pending joint resolution.

Mr. KING. Mr. President, a number of Senators have expressed a desire to speak upon the pending joint resolution. Today several were ready to speak, but considerable time was occupied in a discussion of the Veterans' Bureau. Day before yesterday much of the time was taken up by a discussion of the Veteran's Bureau and other matters, to the exclusion of the consideration of the pending resolution. It is quite apparent that with the limited time which is allotted now under the unanimous-consent agreement, many who desire to address the Senate upon the pending measure will be denied the opportunity. I do not know the modus operandi, but I give notice now that on Monday, when the Senate meets, I shall ask unanimous consent that the time for voting upon the joint resolution shall be postponed until the following day at 4 o'clock.

Mr. LODGE. That, I am sorry to say, I do not think can possibly be done.

Mr. KING. It seems to me that any order resulting from a unanimous-consent agreement may be vacated by another unanimous-consent agreement; so I shall ask the Senate for unanimous consent at that time.

Mr. ROBINSON. Mr. President, will the Senator from Utah yield?

Mr. KING. Certainly.

Mr. ROBINSON. This matter has been the unfinished business for several days. Senators have refrained from speaking, as they frequently do in such cases, until the time for a vote is approaching. Any Senator has had the right to take the floor and discuss the joint resolution at any time. I do not think it will be possible to change the unanimous-consent agreement.

Mr. REED of Missouri. In regard to that I wish to say that I have sat in my seat here all day trying to get the floor. The time of the Senate was taken up all day——

Mr. LODGE. It was taken up by other matters, some of which ought not to have been brought up.

Mr. REED of Missouri. It was taken up by the consideration of an appropriation bill and a discussion of the Veterans' Bureau. We have been afflicted with lack of numbers and things of that sort. I think it is a perfectly reasonable request that the Senator from Utah proposes to make. If it is opposed, we are forced to a vote when the Members have not had a chance to address themselves to the measure. Of course, that is an action that will have an effect on future unanimous-consent requests.

Mr. KING. I only want to say that I regard this as perhaps the most important matter that has been brought to the attention of Congress since the thirteenth, fourteenth, and fifteenth amendments were adopted. It may be that the Senate may prefer to consider appropriation bills or unimportant matters instead of one which involves a change in our form of government. Nevertheless, I shall ask unanimous consent on Monday that the time for voting be postponed until the following day.

CLAIMS FOR DAMAGES TO FOREIGN VESSELS (S. DOC. NO. 127)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State in relation to the following claims presented by the Governments of Denmark, Sweden, and Norway against the Government of the United States on account of damages sustained by vessels owned by their nationals in collisions with vessels in the public service of the United States:

1. The claim presented by the Government of Denmark on account of losses sustained by the owners of the Danish steamship *Masnedsund* as a result of collisions between it and the U. S. S. *Siboney* and the United States Army tug *No. 21* at St. Nazaire, France.

2. The claim presented by the Government of Sweden on account of the losses sustained by the owners of the Swedish steamship *Olivia* as a result of a collision between it and the U. S. S. *Lake St. Clair*.

3. The claim presented by the Government of Norway on account of the losses sustained by the owners of the Norwegian steamship *John Blumer* as a result of a collision between it and a barge in tow of the United States Army tug *Brittania*.

4. The claim presented by the Government of Norway on account of the losses sustained by the owners of the Norwegian bark *Janna* as a result of a collision between it and the U. S. S. *Westwood*.

I recommend that appropriations be made to effect a settlement of these claims in accordance with the recommendation of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE, *May 31, 1924*.

EXECUTIVE SESSION

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and the Senate (at 6 o'clock and 15 minutes p. m.), under the order previously entered, took a recess until Monday, June 2, 1924, at 11 o'clock a. m.

CONVENTION WITH NORWAY TO PREVENT SMUGGLING OF INTOXICATING LIQUORS

In executive session this day, the following convention was ratified, and on motion of Mr. LODGE the injunction of secrecy was removed therefrom:

To the Senate:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a convention between the United States and Norway to aid in the prevention of the smuggling of intoxicating liquors into the United States, signed at Washington on May 24, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *May 26, 1924*.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention between the United States and Norway, to aid in the prevention of the smuggling of intoxicating liquors into the United States, signed at Washington, May 24, 1924.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, May 24, 1924.

The President of the United States of America and His Majesty the King of Norway, being desirous of avoiding any difficulties which might arise between them in connection with laws in force in the United States on the subject of alcoholic beverages, have decided to conclude a convention for that purpose, and have appointed as their plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States;

His Majesty the King of Norway: Helmer H. Bryn, his envoy extraordinary and minister plenipotentiary to the United States of America;

Who, having communicated their full powers, found in good and due form, have agreed as follows:

ARTICLE I

The high contracting parties respectively retain their rights and claims without prejudice by reason of this agreement with respect to the extent of their territorial jurisdiction.

ARTICLE II

(1) His Majesty agrees that he will raise no objection to the boarding of private vessels under the Norwegian flag outside the limits of territorial waters by the authorities of the United States, its territories or possessions, in order that inquiries may be addressed to those on board and an examination be made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavoring to import or have imported alcoholic beverages into the United States, its territories or possessions, in violation of the laws there in force. When such inquiries and examination show a reasonable ground for suspicion, a search of the vessel may be initiated.

(2) If there is reasonable cause for belief that the vessel has committed or is committing or attempting to commit an offense against the laws of the United States, its territories or possessions, prohibiting the importation of alcoholic beverages, the vessel may be seized and taken into a port of the United States, its territories or possessions, for adjudication in accordance with such laws.

(3) The rights conferred by this article shall not be exercised at a greater distance from the coast of the United States, its territories or possessions, than can be traversed in one hour by the vessel suspected of endeavoring to commit the offense. In cases, however, in which the liquor is intended to be conveyed to the United States, its territories or possessions, by a vessel other than the one boarded and searched, it shall be the speed of such other vessel and not the speed of the vessel boarded which shall determine the distance from the coast at which the right under this article can be exercised.

ARTICLE III

No penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vessels or persons by reason of the carriage of such liquors when such liquors are listed as sea stores or cargo destined for a port foreign to the United States, its territories or possessions, on board Norwegian vessels voyaging to or from ports of the United States, or its territories or possessions, or passing through the territorial waters thereof, and such carriage shall be as now provided by law with respect to the transit of such liquors through the Panama Canal, provided that such liquors shall be kept under seal continuously while the vessel on which they are carried remains within said territorial waters, and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

ARTICLE IV

Any claim by a Norwegian vessel for compensation on the grounds that it has suffered loss or injury through the improper or unreasonable exercise of the rights conferred by article 2 of this treaty or on the ground that it has not been given the benefit of article 3 shall be referred for the joint consideration of two persons, one of whom shall be nominated by each of the high contracting parties.

Effect shall be given to the recommendations contained in any such joint report. If no joint report can be agreed upon, the claim shall be referred to the Permanent Court of Arbitration at The Hague described in the convention for the pacific settlement of international disputes, concluded at The Hague, October 18, 1907. The arbitral tribunal shall be constituted in accordance with article 87 (chapter 4) and with article 59 (chapter 3) of the said convention. The proceedings shall be regulated by so much of chapter 4 of the said convention and of chapter 3 thereof (special regard being had for articles 70 and 74, but excepting articles 53 and 54) as the tribunal may consider to be applicable and to be consistent with the provisions of this agreement. All sums of money which may be awarded by the tribunal on account of any claim shall be paid with 18 months after the date of the final award without interest and without deduction, save as hereafter specified. Each Government shall bear its own expenses. The expenses of the tribunal shall be defrayed by a ratable deduction of the amount of the sums awarded by it, at a rate of 5 per cent on such sums, or at such lower rate as may be agreed upon between the two Governments; the deficiency, if any, shall be defrayed in equal moieties by the two Governments.

ARTICLE V

This treaty shall be subject to ratification and shall remain in force for a period of one year from the date of the exchange of ratifications.

Three months before the expiration of the said period of one year either of the high contracting parties may give notice of its desire to propose modifications in the terms of the treaty.

If such modifications have not been agreed upon before the expiration of the term of one year mentioned above, the treaty shall lapse.

If no notice is given on either side of the desire to propose modifications, the treaty shall remain in force for another year, and so on automatically, but subject always in respect of each such period of a year to the right on either side to propose as provided above three months before its expiration modifications in the treaty, and to the provision that if such modifications are not agreed upon before the close of the period of one year the treaty shall lapse.

ARTICLE VI

In the event that either of the high contracting parties shall be prevented either by judicial decision or legislative action from giving full effect to the provisions of the present treaty

the said treaty shall automatically lapse, and, on such lapse or whenever this treaty shall cease to be in force, each high contracting party shall enjoy all the rights which it would have possessed had this treaty not been concluded.

The present convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Norway; and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the present convention in duplicate in the English and Norwegian languages and have thereunto affixed their seals.

Done at the city of Washington this 24th day of May, in the year of our Lord 1924.

[SEAL] CHARLES EVANS HUGHES.
[SEAL] HELMER H. BRYN.

PRESERVATION OF HALIBUT FISHERY OF THE NORTHERN PACIFIC

In executive session this day, the following convention was ratified, and on motion of Mr. LODGE the injunction of secrecy was removed therefrom:

The Senate:

I transmit, with the view to receiving the advice and consent of the Senate to its ratification, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

WARREN G. HARDING.

THE WHITE HOUSE, *March 2, 1923.*

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, to receive the advice and consent of that body to its ratification, if his judgment approve thereof, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, March 2, 1923.

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of securing the preservation of the halibut fishery of the Northern Pacific Ocean, have resolved to conclude a convention for this purpose, and have named as their plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States; and

His Britannic Majesty: The Hon. Ernest Lapointe, K. C., B. A., LL. B., Minister of Marine and Fisheries of Canada;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

The nationals and inhabitants and the fishing vessels and boats of the United States and of the Dominion of Canada, respectively, are hereby prohibited from fishing for halibut (Hipoglossus) both in the territorial waters and in the high seas off the western coasts of the United States, including Bering Sea, and of the Dominion of Canada, from the 16th day of November next after the date of the exchange of ratifications of this convention to the 15th day of the following February, both days inclusive, and within the same period yearly thereafter, provided that upon the recommendation of the International Fisheries Commission, hereinafter described, this close season may be modified or suspended at any time after the expiration of three such seasons by a special agreement concluded and duly ratified by the high contracting parties.

It is understood that nothing contained in this article shall prohibit the nationals or inhabitants and the fishing vessels or boats of the United States and of the Dominion of Canada from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this article. Any halibut that may be taken incidentally when fishing for other fish during the season when fishing for halibut is prohibited under the provisions of this article may be retained and used for food for the crew of the vessel by which they are taken. Any portion thereof not so used shall be landed and immediately turned over to the duly authorized officers of the Department of Commerce of the United States or of the department of marine and fisheries of the Dominion of Canada. Any fish turned over to such officers in pursuance of the provisions of this article shall be sold by them to the highest bidder, and the proceeds of such sale, exclusive of the necessary expenses in connection therewith, shall be paid by them into the treasuries of their respective countries.

ARTICLE II

Every national or inhabitant, vessel or boat of the United States or of the Dominion of Canada engaged in halibut fishing in violation of the preceding article may be seized, except within the jurisdiction of the other party, by the duly authorized officers of either high contracting party and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel, or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be mutually agreed upon. The authorities of the nation to which such person, vessel, or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of the preceding article or of the laws or regulations which either high contracting party may make to carry those provisions into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other high contracting party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

ARTICLE III

The high contracting parties agree to appoint within two months after the exchange of ratifications of this convention a commission, to be known as the International Fisheries Commission, consisting of four members, two to be appointed by each party. This commission shall continue to exist so long as this convention shall remain in force. Each party shall pay the salaries and expenses of its own members, and joint expenses incurred by the commission shall be paid by the two high contracting parties in equal moieties.

The commission shall make a thorough investigation into the life history of the Pacific halibut, and such investigation shall be undertaken as soon as practicable. The commission shall report the results of its investigation to the two Governments and shall make recommendations as to the regulation of the halibut fishery of the North Pacific Ocean, including the Bering Sea, which may seem to be desirable for its preservation and development.

ARTICLE IV

The high contracting parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this convention, with appropriate penalties for violations thereof.

ARTICLE V

This convention shall remain in force for a period of five years, and thereafter until two years from the date when either of the high contracting parties shall give notice to the other of its desire to terminate it. It shall be ratified in accordance with the constitutional methods of the high contracting parties. The ratifications shall be exchanged in Washington as soon as practicable, and the convention shall come into force on the day of the exchange of ratifications.

In faith whereof the respective plenipotentiaries have signed the present convention in duplicate, and have thereunto affixed their seals.

Done at the city of Washington the 2d day of March, in the year of our Lord 1923.

CHARLES EVANS HUGHES. [SEAL.]
ERNEST LAPOINTE. [SEAL.]

NOMINATIONS

Executive nominations received by the Senate May 31, 1924

COAST AND GEODETIC SURVEY

To be aids, with relative rank of ensign in the Navy, by promotion from deck officer

Harold John Peterson, of Iowa, vice G. T. Gilman, resigned.

Virgil Alfred Alexander Powell, of Oregon, vice W. I. Brown, resigned.

Byron Williams, of Kentucky, vice B. E. Lancaster, promoted.

To be aid, with relative rank of ensign in the Navy, by promotion from junior engineer

Alexander Francis Jankowski, of Nebraska, vice E. M. Denbo, promoted.

PROMOTIONS IN THE REGULAR ARMY

To be captain

First Lieut. Reynold Ferdinand Melin, Ordnance Department, from May 28, 1924.

To be first lieutenant

Second Lieut. Horace Speed, jr., Coast Artillery Corps, from May 28, 1924.

POSTMASTERS

ARKANSAS

George E. Crosby to be postmaster at Pangburn, Ark., in place of L. H. Smith. Incumbent's commission expired August 5, 1923.

CALIFORNIA

Belle Hicks to be postmaster at Armona, Calif., in place of G. C. Coggin, deceased.

COLORADO

William V. Kerr to be postmaster at Eads, Colo., in place of J. I. Norris. Incumbent's commission expired February 18, 1924.

ILLINOIS

Robert R. Davis to be postmaster at Equality, Ill., in place of W. S. Bunker, resigned.

Walter E. Dimick to be postmaster at Rosiclare, Ill., in place of W. C. Karber. Incumbent's commission expired March 9, 1924.

Edwin B. Gardner to be postmaster at Mazon, Ill., in place of J. R. Lewis. Incumbent's commission expires June 5, 1924.

John H. Wehrley to be postmaster at Beecher, Ill., in place of W. J. Hinze. Incumbent's commission expired March 9, 1924.

INDIANA

Charles A. Baker to be postmaster at Knox, Ind., in place of E. H. Taylor, resigned.

Ernest C. Hefner to be postmaster at Roanoke, Ind., in place of W. F. Wake. Incumbent's commission expires June 5, 1924.

IOWA

John J. Ethell to be postmaster at Bloomfield, Iowa, in place of K. F. Baldridge. Incumbent's commission expires June 5, 1924.

KENTUCKY

James T. Davis to be postmaster at Sunnydale, Ky., in place of Peter Crowder. Office became third class July 1, 1923.

Ruby M. Wood to be postmaster at Salt Lick, Ky., in place of H. O. Razor. Incumbent's commission expired February 19, 1922.

LOUISIANA

Esther E. Harlan to be postmaster at Swartz, La., in place of S. F. Nettles. Office became third class October 1, 1923.

Aimie B. Garrett to be postmaster at New Roads, La., in place of C. M. Cazayoux. Incumbent's commission expires June 4, 1924.

MAINE

Jabez M. Pike to be postmaster at Lubec, Me., in place of John Durgan. Incumbent's commission expires June 5, 1924.

MICHIGAN

Emma Moote to be postmaster at White Cloud, Mich., in place of Fred Gibbs. Incumbent's commission expires June 4, 1924.

Benjamin W. Somers to be postmaster at Hesperia, Mich., in place of A. D. Himebaugh. Incumbent's commission expires June 4, 1924.

MINNESOTA

Ernest A. Schilling to be postmaster at Cottonwood, Minn., in place of E. A. Schilling. Incumbent's commission expires June 5, 1924.

MISSOURI

Amos E. Jennings to be postmaster at Miami, Mo., in place of Z. T. Casebolt. Incumbent's commission expires June 5, 1924.

William Vogel to be postmaster at De Soto, Mo., in place of William Vogel. Incumbent's commission expires June 5, 1924.

Margaret M. Enis to be postmaster at Clyde, Mo., in place of Joseph A. Voelker. Incumbent's commission expires June 5, 1924.

NEBRASKA

Charles E. Zink to be postmaster at Sterling, Nebr., in place of G. M. Sandusky. Incumbent's commission expires June 4, 1924.

Frank A. Bartling to be postmaster at Nebraska City, Nebr., in place of F. H. Marnell. Incumbent's commission expired April 9, 1924.

Clifton C. Brittell to be postmaster at Gresham, Nebr., in place of S. A. Tobey. Incumbent's commission expires June 4, 1924.

Frank G. Smith to be postmaster at Ashton, Nebr., in place of G. H. Lorenz. Incumbent's commission expires June 4, 1924.

NEW HAMPSHIRE

Lilla B. Sargent to be postmaster at Canaan, N. H., in place of E. M. Allen, deceased.

Ralph E. Messer to be postmaster at Bennington, N. H., in place of M. M. Cheney, deceased.

Silas C. Newell to be postmaster at Newport, N. H., in place of E. J. Maley. Incumbent's commission expired February 20, 1924.

James P. Farnam to be postmaster at Hanover, N. H., in place of E. T. Ford. Incumbent's commission expires June 5, 1924.

Alice M. Sloane to be postmaster at Conway, N. H., in place of F. L. Marston. Incumbent's commission expires June 5, 1924.

NEW MEXICO

Edward H. Hemenway to be postmaster at Carlsbad, N. Mex., in place of J. W. Wells, removed.

NORTH CAROLINA

Joseph B. Sparger to be postmaster at Mount Airy, N. C., in place of G. K. Snow. Incumbent's commission expires June 4, 1924.

OHIO

Edward P. Harker to be postmaster at Rossford, Ohio, in place of R. S. DeMuth. Incumbent's commission expires June 4, 1924.

David J. Thomas to be postmaster at Niles, Ohio, in place of A. L. Richar. Incumbent's commission expires June 4, 1924.

Edwin H. Garver to be postmaster at Navarre, Ohio, in place of D. A. Muskoff. Incumbent's commission expires June 4, 1924.

OKLAHOMA

James F. Bethel to be postmaster at Muldrow, Okla., in place of I. K. Turnham, deceased.

Lee Hilton to be postmaster at Barnsdall, Okla., in place of S. H. Wilson, declined.

PENNSYLVANIA

Oscar G. Darlington to be postmaster at Radnor, Pa., in place of O. G. Darlington. Incumbent's commission expired April 13, 1924.

Clarence G. Welker to be postmaster at Pennsburg, Pa., in place of E. J. Wieder, jr. Incumbent's commission expires June 5, 1924.

Stanley L. Campbell to be postmaster at New Albany, Pa., in place of P. W. Shepard. Incumbent's commission expired December 23, 1922.

John H. Lyter to be postmaster at Elizabethville, Pa., in place of M. A. Miller. Incumbent's commission expires June 5, 1924.

Mertie T. Gillies to be postmaster at Devon, Pa., in place of M. T. Gillies. Incumbent's commission expires June 5, 1924.

Nelson O. Smith to be postmaster at Blawnox, Pa., in place of N. O. Smith. Incumbent's commission expires June 5, 1924.

William H. Harper to be postmaster at Avondale, Pa., in place of W. H. Harper. Incumbent's commission expired February 4, 1924.

SOUTH CAROLINA

Thomas B. Madden to be postmaster at Columbia, S. C., in place of T. B. Madden. Incumbent's commission expired January 21, 1924.

Samuel B. Cartledge to be postmaster at Batesburg, S. C., in place of W. S. Hite. Incumbent's commission expired January 21, 1924.

SOUTH DAKOTA

Howard R. Mortenson to be postmaster at Viborg, S. Dak., in place of J. M. Rasmussen. Incumbent's commission expires June 4, 1924.

Raymond B. Breed to be postmaster at Brookings, S. Dak., in place of R. B. Breed. Incumbent's commission expires June 4, 1924.

TEXAS

John W. Stegall to be postmaster at Holliday, Tex., in place of J. M. Hawley. Office became third class January 1, 1924.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 31, 1924

MEMBER OF THE FEDERAL TRADE COMMISSION

Charles W. Hunt.

MEMBER OF THE MISSISSIPPI RIVER COMMISSION

Edward Flad.

IN THE NAVY

William R. Shoemaker to be Chief of the Bureau of Navigation.

POSTMASTERS

CALIFORNIA

Lulu F. Thornton, Durham.

IDAHO

Ned Jenness, Nampa.
Elmer C. Hull, Wilder.

KENTUCKY

Ronald S. Tuttle, Bardstown.
Clyde Burton, Stone.

MONTANA

Lucile D. Knight, Twin Bridges.

NEW YORK

Herbert J. Crandall, Silver Creek.

NORTH DAKOTA

Myron B. Fallgatter, Kintyre.
Michael Coyne, Starkweather.

OHIO

Fred M. Hopkins, Fostoria.

OREGON

Olof O. Follo, Westport.

PENNSYLVANIA

Robert T. Barton, Meadowbrook.

SOUTH DAKOTA

Sidney H. Dains, Marion.

HOUSE OF REPRESENTATIVES

SATURDAY, *May 31, 1924*

The House met at 12 o'clock noon and was called to order by the Speaker.

Mr. BARKLEY. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order that no quorum is present. Evidently there is no quorum present.

Mr. BEGG Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper closed the doors and the Sergeant at Arms was directed to bring in the absentees, the Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Fish	MacLafferty	Scott
Anthony	Free	Magee, Pa.	Seger
Bacharach	Frothingham	Mead	Sites
Beedy	Gallivan	Michaelson	Snyder
Boies	Garber	Miller, Ill.	Sproul, Kans.
Boylan	Geran	Moore, Ill.	Sullivan
Britten	Gibson	Morin	Sweet
Brumm	Glatfelter	Mudd	Swoope
Buckley	Goldsborough	Nelson, Wis.	Tague
Byrnes, S. C.	Graham, Pa.	O'Brien	Taylor, Colo.
Campbell	Howard, Okla.	O'Connell, N. Y.	Temple
Carew	Hull, Tenn.	O'Connor, N. Y.	Tilson
Casey	Jost	Oliver, N. Y.	Tucker
Celler	Kahn	Park, Ga.	Upshaw
Clark, Fla.	Kent	Patterson	Vinson, Ky.
Cole, Ohio	Kindred	Peery	Ward, N. Y.
Connery	King	Perlman	Weller
Connolly, Pa.	Kunz	Phillips	Welsh
Cullen	Langley	Porter	Wertz
Curry	Lilly	Prall	White, Me.
Davey	Lindsay	Quayle	Wilson, Miss.
Dickstein	Linthicum	Reed, W. Va.	Winslow
Doughton	Little	Robsion, Ky.	Yates
Drane	Logan	Rogers, N. H.	Zihlman
Eagan	Luce	Rosenbloom	
Edmonds	McSwain	Sanders, Ind.	
Fairchild	McSweeney	Sanders, N. Y.	

The SPEAKER. Three hundred and twenty-eight Members have answered to their names. A quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, the Shepherd of our souls and the Father of us all, we turn to Thee again. Grant us all to feel that we are in the holy presence of One who is above all and over all. Thou alone canst make even the night to shine as the day. With us may life be definite and full of thoughtful meaning. Make us calm in the presence of difficulty, patient in the face of opposition, and strong and compelling when honor is in question. Enable us to remember that the highest reach of manhood is the protection of the weak, the poor, and the unfortunate. At the close of the week may we take love, joy, and peace to our homes, in the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

The SPEAKER. The Chair would like to state that the present Speaker ruled in a previous Congress that a point of no quorum could not be made before the Chaplain had offered prayer, and that opinion was sustained by the House by a vote of nearly 3 to 1. The Chair wishes to state that he has not departed from that decision, that admitting the point of order to-day was accidental.

ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Speaker, it seems to me quite evident that the consideration of this bill would be hastened if we could reach an understanding as to when a final vote is to be had. When that was suggested to me yesterday by the gentleman from Kentucky [Mr. KINCHELOE], I thought that we ought to have a final vote to-night. I, however, have become convinced that it would be in the interest of a speedy consideration of this bill if we were to have an understanding that we would reach the stage of the previous question this evening and then adjourn, in which case the final vote would be had on Monday or Tuesday. It seems to me that nothing would be lost. The Senate is considering precisely the same bill, and if the bill is to become a law there would be no delay if we proceed as far as the previous question this afternoon. I am very certain that it would be for the interest of the consideration of the bill if that was understood now.

Mr. KINCHELOE. I will say as far as I am concerned that that would be satisfactory.

Mr. LONGWORTH. Of course, it would not require unanimous consent, because it is in the power of the gentleman from Iowa to move that the committee rise. I think it would be wise to reach an understanding now, however, so that the consideration of the bill shall be completed in the Committee of the Whole and that the committee shall rise, the previous question be ordered, and then the House adjourn, in which case the final vote will come on Monday or Tuesday.

Mr. BARKLEY. Which would it be, Monday or Tuesday?

Mr. LONGWORTH. That would depend on the gentleman from Kentucky.

Mr. BARKLEY. We might as well have an understanding about it now, that it will be Tuesday.

Mr. LONGWORTH. The gentleman from Kentucky would be opposed to having it on Monday?

Mr. BARKLEY. I do not want to make any agreement now.

Mr. LONGWORTH. It would be unfinished business, and if it did not come up on Monday, it would come up on Tuesday.

Mr. ASWELL. Why can not we make the agreement now and have it on Tuesday?

Mr. LONGWORTH. I would be glad to have an understanding. Mr. Speaker, I ask unanimous consent——

Mr. GARRETT of Tennessee. Will the gentleman yield to me?

Mr. LONGWORTH. Certainly.

Mr. GARRETT of Tennessee. Of course, that is presuming that this bill will be completed to-day.

Mr. LONGWORTH. I think we must preface this with the understanding that the bill will be completed in Committee of the Whole before the committee rises to-day. That ought to be done. It seems to me that it is only fair both to the proponents and the opponents of this bill. If the bill should go over until next week before it is completed it is impossible to tell what might happen. I think it is only fair that we should have a definite understanding that we should complete its consideration in Committee of the Whole to-day.

Mr. GARRETT of Tennessee. Mr. Speaker, so far as I know, there is no objection to that. I do not know how many amendments are to be offered. I assume this; that in the temper

the House is in now, there will be dilatory tactics pursued in the consideration of the bill.

Mr. LONGWORTH. Certainly there would not be, if it were understood that a vote would be had a little later.

Mr. BARKLEY. Mr. Speaker, reserving the right to object further, there has been a rumor about the House for some time that there is in process of fecundation some kind of a substitute that somebody is going to offer to this bill at some stage of the proceedings. Can the gentleman inform us whether that is true or not?

Mr. LONGWORTH. So far as I know, no such substitute is proposed. I have no knowledge of any contemplated proceeding of that nature.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MADDEN. Of course, as chairman of the Committee on Appropriations, I am anxious to conform to any plan that may be outlined or agreed upon. It ought to be understood that we have two important appropriation bills that are yet to be considered by the House. Any agreement that is entered into ought to take that into consideration, because if they are postponed until the end of next week, there will not be any adjournment at that time.

Mr. LONGWORTH. Of course, I have in mind what the gentleman from Illinois says, and I think that this is in the interest of the speedy passage of necessary legislation by this House.

Mr. RUBEY. Does the gentleman mean the speedy passage or the speedy defeat?

Mr. LONGWORTH. I mean speedy action. I have no knowledge as to the ultimate fate of this measure. My idea is to give a fair show on this legislation to both the opponents and the proponents.

Mr. RUBEY. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. RUBEY. Yesterday afternoon after we closed here and got through with the work, Members on the gentleman's side of the House assured me that we would meet here to-day, and that we would put this bill through before we adjourned to-day, and they come in here this morning with this proposition.

Mr. HAUGEN. Oh, the gentleman's conference——

Mr. RUBEY. I met with the gentleman from Iowa [Mr. HAUGEN.]. The gentleman was there.

Mr. HAUGEN. I was there, but we are not proposing this proposition of the gentleman from Ohio.

Mr. RUBEY. Then the gentleman is not in favor of delay. Mr. Speaker, I object.

Mr. BURTNESS. Mr. Speaker, will the gentleman from Ohio yield?

Mr. LONGWORTH. Yes.

Mr. BURTNESS. Mr. Speaker, the gentleman from Illinois [Mr. MADDEN], the chairman of the Committee on Appropriations, suggested that if we are going to adjourn a week from to-day, it is necessary to get the appropriation bills through. I want to assure the gentleman that it is more necessary to get farm-relief legislation enacted.

Mr. LONGWORTH. I say to the gentleman that in my judgment it would speed up action on this bill if such an arrangement as I have suggested is made.

Mr. BURTNESS. I do not agree with the gentleman as to that, but I want to make it plain that there are a good many that will not vote to adjourn without some farm-relief legislation.

Mr. LONGWORTH. Mr. Speaker, if my time has not run out——

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. Then, Mr. Speaker, I ask unanimous consent to proceed for two minutes further.

The SPEAKER. Is there objection?

There was no objection.

Mr. LONGWORTH. I think an amicable arrangement can be made here. There is no necessity for any temper to be shown.

Mr. RUBEY. A man must show temper when he comes in here and has a thing reversed on him.

Mr. LONGWORTH. I do not know what the gentleman means by some understanding being reversed. I have had no understanding. I made my suggestion in the interest of what I believe to be the speeding up of the action on this bill. I do not know what understanding the gentleman may have had with others.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. CRAMTON. It seems to me, and I am friendly to the legislation, that we are in a situation where a final vote could not be forced to-night, whatever the gentleman from Iowa [Mr. HAUGEN] or others desire. We are facing a reality that a vote could not be forced, and it seems to me if the gentleman from Ohio can bring about a situation so that we can complete consideration of everything else down to a final vote it would advance the legislation in the most rapid way it can be advanced.

Mr. SCHAFER. I understand the gentleman from Ohio wants to bring about speedy action on this bill. Will the gentleman assure us that he will help bring about speedy action on the Barkley bill on Monday next?

Mr. LONGWORTH. I am speaking of the agricultural bill at this moment. I have no knowledge about what will occur on Monday. I think what the gentleman from Michigan [Mr. CRAMTON] says presents accurately the situation to-day. If we have an understanding now that the bill will be completed to-day in the committee and a final vote taken early next week, action upon this bill will be very greatly speeded up.

Mr. RUBEY. If I may say a word, I shall withdraw my objection.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the consideration of this bill in Committee of the Whole House on the state of the Union shall be completed to-day, and that when reported to the House the previous question shall be considered in order on all amendments to final passage, and that the House shall thereupon adjourn.

The SPEAKER. There may be other business after that.

Mr. LONGWORTH. I mean so far as this bill is concerned.

Mr. RUBEY. Mr. Speaker, reserving the right to object, let me say this: If this agreement is entered into, you can mark my word that this bill will not pass this House on next Tuesday. If the gentlemen on the Republican side of the House want to take the responsibility for the defeat of this legislation, well and good, but I want the country to know where the responsibility is in the proposal of this unanimous-consent agreement to-day. You put off the vote on this bill until next Tuesday morning, and those who make the proposition know that at that time there will be 40 or 50 or 60 gentlemen in this House who are not here now, everyone of whom will be against this legislation.

Mr. LONGWORTH. I have no knowledge of that fact.

Mr. RUBEY. The gentleman has not any knowledge, but he has been conferring with the chairman of the committee and with others—the gentleman from Iowa.

Mr. LONGWORTH. I have made this request without conferring with the gentleman from Iowa.

Mr. RUBEY. The gentleman had a conference this morning with the gentleman from Kansas.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. RUBEY. I yield.

Mr. CRAMTON. Does the gentleman from Missouri believe that the bill is now in a situation, only one-third of it having been passed over, where there is any reasonable possibility that without such an understanding as the gentleman from Ohio suggests we can get a final vote to-day?

Mr. RUBEY. I will say to the gentleman, if Members of this House who are favorable to this legislation will stay here on the floor, we can put this legislation through before midnight to-night. [Applause.]

Mr. CRAMTON. Suppose that would happen, suppose you speed its consideration, which I do not believe to be possible, and then when it comes to the last step some one demands a reading of the engrossed copy?

Mr. RUBEY. The engrossed copy will be ready to be read.

Mr. CRAMTON. How do you know what it will be?

Mr. RUBEY. There will be no amendments adopted if the friends stand by it.

Mr. CRAMTON. I hope the gentleman has a proper basis for his confidence that a majority of the House is with him on this bill, to the extent he says.

Mr. DYER. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Missouri demands the regular order. The regular order is——

Mr. DYER. I withdraw the demand for a moment but not for any prolonged debate.

Mr. HAUGEN. Mr. Speaker, in conference with a number of Members last night a number of Members indicated a desire to leave the city and would be out of the city next week, and asked that this bill be taken up to-day and disposed of to-day, and I feel on insisting that the bill shall be taken up at this time. This is to accommodate Members who are obliged to leave the city, and it is just as fair to those gentlemen as to the gentlemen who are away at the present time.

The SPEAKER. Is there objection?

Mr. SUMMERS of Washington. I object.

Mr. LONGWORTH. Then I merely desire to say that a motion will be made to adjourn when the previous question has been ordered on this bill in order to have a vote later on.

THE CAUSE OF THE TOILER

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks on the cause of labor.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SCHALL. Mr. Speaker, in the history of other governments the man that toiled used to be held in dishonor, but today not only in this country but pretty well distributed throughout the world it is a badge of dishonor not to have an occupation. Doing nothing is not done any more, and this situation has come about through persistent champions of labor in all walks of life; and to continue such progress, when the people find a man who will stand by them year after year, under any and all stress, it is the part of wisdom to reciprocate. It is an ill thing when they allow themselves to be led astray, to desert those who at all costs have fought their battles. There are no rewards to be picked up by the man who keeps a true course for the ordinary folks. It is not a smooth road. The dislike of those who see no merit in the common man's cause is recorded in daily unpleasantnesses. There is a silent pressure of disapproval that is palpable and cold and opposing. It takes real stamina to go up against it. It is the thing that changes weak men after they breathe a long time the atmosphere of Washington. There are party rewards to the amenable, the man who can be relied upon to stay within the reservation, and party discipline for the man who abides by his own conviction regardless of party. It is a fine thing to be able to get jobs for your friends and favors for your constituents; but the wise constituent will look beyond the small personal advantage to the principle. If by the granting of a little job to him his Member has to forego, to make any concessions of judgment, better far be without political plums to distribute.

It is a hard thing for the people to get the truth about their champions. In general the avenues of the press are closed, which the purse strings of selfish interest are able to open for their trusted tools. The people do not hear anything of the good work done; a chorus of abuse is raised as a smoke screen to hide the record of accomplishment. The greatest danger to the cause of labor and the common man is in its own ranks, those self-appointed leaders who for some motive of personal gain or fancied party advantage attempt to lead the people to abandon the tried and trusted champion. Anyone who has followed my record knows that it has been 100 per cent for labor, 100 per cent for the farmer, and 100 per cent for the common people, and anyone who attempted to deceive the people as to a public man's record is not fair with them and does not deserve their confidence.

Anyone who objects to the people's right to the frank for their information of their public men's record is not square with the people, and his motive is ulterior and deserves careful scrutiny, for what chance would the poor man in Congress have to defend his record? Those that would tear down the privilege of the frank for getting information to the people are playing the game of the enemies of their country.

I am offering a reward of $1,000, sufficient amount to warrant any in doubt looking it up, to anyone who can point out in my 10 years' service one place where I have voted against labor or the interests of the farmer or the ordinary people, and this is collectible, legally, under the law, and should be sufficient answer.

There is no justification for an attack on my record by those pretending to be friends of the common people. It is really not my record that they find fault with, but the fact that I refuse to come under their bossism. Men who had the interests of the people at heart would surely advocate standing by men who have been proven true. What difference does label make? It is the man that counts. Parties make promises easily, but whether they are kept or not depends upon the character of the men who hold the office.

The type of self-appointed labor leader, who in his zeal to look for flaws neglects 10 years of faithful public service and pounces gleefully upon an unavoidable absence and hails it to to the world as a gross fault, is unfair, willfully malicious, and not trying to serve the cause of the people. But it is not facts or truth these men want; just a basis for attack.

Ten years is a long time. I have kept the faith. Is not 10 years of performance worth more than promises when compared with a record absolutely adverse to labor for years? And in these 10 years, the most strenuous in the history of our country, I have acquired an understanding of our international problems as well as our domestic ones, which experience should be of great value to the people when compared with inexperience.

I have earned my own way since a little boy. I have made my living by the use of my hands and the sweat of my brow. I know the troubles of the common people. I am one of them.

The danger to the cause of the common man is false leadership by men who can be reached through their cupidity and their ambitious desires. Such men become ready tools in the hands of plunder gangs, who through their power of allurement to personal advantage induce some of these so-called leaders to plunge a knife into the back of the people's cause by injuring the men who are carrying their banner.

The rank and file should easily be able to pick these fellows out. The men who in the face of 100 per cent record attempt to villify are certainly not advocating the interests of labor but some secret and selfish motive. It is these traitors to the cause that are doing more than anything else to destroy its progress. Public men fighting in behalf of the common people become discouraged and disheartened in trying to counteract the unfair, unsportsmanlike and assassinating methods, and the wide publicity they can easily secure for an attack upon a friend of the people gives such an advantage over the honest friend of the people whose votes bring him no financial help at election time and leaves him, because of his poverty, unable to answer the malicious and damaging charges spread broadcast through press and hireling mouthpieces.

The great selfish interests of this country, with the best brains that money can hire, with their newspapers, their organizations, and their endless chain of propaganda are constantly at work to tear down the people's friends. If they can not do it straight out, they do it by indirection, and when the people can no longer be fooled in one way they are quick to get upon the crest of any new wave through which the people hope to get relief, and by preelection promises and proffered aid secure control of the men such a movement would put in power and defeat the purpose of the cause upon which the people have placed their hope; not only is this true of the specific cause of labor, but it is true of the common people generally. It is true of the cause of the farmer. It is true of the cause of the clerk, the little business man, the little banks, the little everything who are outside the pale of the great selfish monopolistic interests who seek to farm the farmer and all the trade currents which rest upon this basic industry.

Frank Morrison, secretary American Federation of Labor, says:

Representative SCHALL has proved most aggressive in fighting reaction in Congress. He has a 100 per cent legislative record on measures of interest to labor and to the people; not only does he vote for whatever is for the best interests of our country, but he is active in committees, on the floor of the House, and in every other way in defeating any legislation proposed by the reactionaries as well as in supporting measures beneficial to labor and to the people.

And W. N. Doak writes, in answer to an unwarranted and unfair attack made on me by a so-called labor paper:

Mr. W. A. MCDONALD,
General Chairman Soo Line System,
501 Globe Building, Minneapolis, Minn.

DEAR SIR AND BROTHER: I am just in receipt of your letter of the 15th, inclosing editorial clipped from the Minneapolis Labor Review of Friday, April 14, 1922, which deals with Congressman THOMAS D. SCHALL'S labor record in Congress.

I am inclosing herewith a clipping of Congressman SCHALL'S record as compiled by the legislative bureau of the four railroad brotherhoods, which record is taken from the CONGRESSIONAL RECORD exactly as it appears in the record. The four legislative representatives sent out this record without any comment, but inasmuch as it seems Congressman SCHALL has been attacked on account of not voting on the Adamson 8-hour law, and his having not voted on February 21, 1920, on the motion to recommit the railroad bill, and on the final passage of the so-called Esch-Cummins bill, at which time the record shows he was "paired"; also, according to the record, Mr. SCHALL did not vote on the so-called Cannon amendment limiting the right of strike on March 6, 1918, at that time being "paired."

At the time the Adamson 8-hour law was before Congress it is my understanding that Congressman SCHALL was in a hospital in Maine unable to be in attendance at sessions of Congress, but unquestionably he was in favor of the Adamson 8-hour law, and would have voted favorably had he been present. I also understand that on March 6, 1918, Mr. SCHALL was "paired" in favor of labor when the so-called Cannon amendment was unexpectedly sprung in Congress. This being the case, it is unfair to Congressman SCHALL to have him recorded as opposing labor in this instance. On February 21, 1920, Congressman SCHALL was again "paired" in favor of labor, and did not vote on the

railroad bill and the motion to recommit; therefore this action was just as favorable by being paired as if he had voted.

On all other measures since his term in Congress, which commenced with the Sixty-fourth session, down to the present time, he has been recorded as favorable to labor; therefore we consider his record as 100 per cent favorable to labor, according to our records in this office.

No one could legitimately accuse Congressman SCHALL of being in favor of the Esch-Cummins bill when you consider that on November 17, 1919, when the Anderson amendment was before the House of Representatives, he voted in favor of same; he also, on that date, voted to recommit the proposed railroad bill to the committee with instruction to strike the guaranty provision out, and on the same date voted against the proposed railroad bill on its final passage. Therefore, it is safe to say that he was opposed to the final passage of this bill when it came up for final action on February 21, 1920, and was unquestionably "paired" against this bill.

Trusting that this will answer you fully and convey to you the attitude of myself and my associates with reference to Congressman THOMAS D. SCHALL, and would assure you that we believe his record and past action during his term of Congress deserves the support of the railroad men.

Fraternally yours, W. N. DOAK,
Vice President, National Legislative Representative, Brotherhood of Railway Trainmen.

A few unavoidable absences on questions where there is no doubt of my attitude because I am on record before and after on these same questions, and upon these questions am paired. Anyone attempting to use this subterfuge is on the face of it not a real friend to the cause of the toiler.

Thomas Flaherty, secretary treasurer of the National Federation of Post Office Clerks, says:

I want to take the opportunity to thank you for your earnest and effective advocacy of readjusting postal pay rates and for the splendid support given at all times.

The National Federation of Post Office Clerks is deeply indebted to you.

And again he says:

I want to thank you for your effective cooperation as a member of the House Rules Committee in securing early consideration of the postal employees' pay bill.

We are again deeply indebted to you. In this instance, as on so many occasions in the past, you have shown a sympathetic interest and a clear understanding of postal employment problems.

We want you to know of our sincere appreciation of your valued services to the postal workers as a Member of Congress.

And Robert H. Alcorn, chairman of the joint conference committee on retirement, says:

Mr. SCHALL has always been our friend on all matters of legislation. I know of no time he has failed to vote right on all bills. He is a 100 per cent friend of the people.

Luther Steward, president of the National Federation of Federal Employees, says:

During your service in Congress the National Federation of Federal Employees has had ample reason to look upon you as a sincere friend, not only of the organized Federal employees but of all workers.

Division 357, Brotherhood of Locomotive Engineers, writes me:

At a regular meeting of Division 357, Brotherhood of Locomotive Engineers, held on April 21, 1924, a motion was made and unanimously adopted that the secretary be instructed to convey a special letter of thanks to you for your effective work in behalf of one of our members, Fern Selle. As expressed in the lodge room, we knew that we could depend on you, our faithful servant, in this case of emergency. We have watched your 10 years of effective work in the Halls of Congress and we are of the opinion that we should not turn down an old friend for a new.

So it gives me great pleasure to convey to you the heartful thanks of Division 357, Brotherhood of Locomotive Engineers, and wishing you every success, and also granting you the privilege of using this letter, should the same be of any benefit to you, I am,

Respectfully yours,

W. E. HARMON,
Secretary of Division 357, 2807 Seventeenth Avenue, South.

Arthur J. Lovell, vice president and national legislative representative, Brotherhood of Locomotive Firemen and Enginemen, says:

Even during my short acquaintance since assuming the duties of national representative of our brotherhood, beginning July 1, 1922, I have had occasion to call on Congressman SCHALL and have received most courteous and considerate treatment, which has merited my respect and confidence.

National legislative representatives of all legitimate labor organizations here in Washington consider Congressman SCHALL 100 per cent good.

H. E. Wills, assistant grand chief, Brotherhood of Locomotive Engineers, says:

All legislative representatives from all the fields of labor, without exception, so far as my knowledge goes, claim Representative SCHALL as "100 per cent good," and many of us claim him as a personal friend.

ADMINISTRATION AND ENFORCEMENT OF TARIFF ACT

Mr. GREEN of Iowa. Mr. Speaker, I present a privileged report from the Committee on Ways and Means.

The SPEAKER. The gentleman from Iowa presents a report from the Committee on Ways and Means on a bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9076) to amend sections 2 and 5 of an act entitled "An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws."

The SPEAKER. Referred to the Union Calendar.

Mr. DYER. Mr. Speaker, I call up the conference report on the bill H. R. 9041.

Mr. LONGWORTH. I trust the gentleman will not do that.

Mr. CRAMTON. I shall be obliged to oppose the gentleman's motion.

Mr. LONGWORTH. Will the gentleman withdraw that?

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union——

Mr. DYER. Mr. Speaker——

The SPEAKER. The Chair has just been informed that this conference report has been rejected by a point of order, and the gentleman is not entitled to bring it up.

M'NARY-HAUGEN BILL

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. ASWELL) there were 210 ayes and 35 noes.

Mr. ASWELL and Mr. CLARKE of New York. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Twenty-three gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033, with Mr. GRAHAM of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9033, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9033) declaring an emergency in respect to certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes.

Mr. TINCHER. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, I take the floor at this time for the purpose of gaining some facts. I think that an agricultural relief bill ought to be absolutely free from politics. I do not think there should be any party lines when we are considering a great agricultural relief bill. I personally would try to make no party lines. Now, on yesterday the gentleman from Louisiana [Mr. ASWELL] took the floor and said to the House—

The President has clearly intimated to the majority party leaders that he would veto the McNary-Haugen bill. He appeals to you to kill it in Congress and not permit it to come to him.

If that is true, as a member of the Committee on Agriculture, I am entitled to know it.

If such a message as that has come from the White House, I am entitled to know it. If it is not true, it is unfair to the President and unfair to the Congress. As I say, I do not play the agricultural relief legislation from the party standpoint, but I am willing to take advantage of this time as a Republican

and as a Member of the House to ask my leader, the gentleman from Ohio [Mr. LONGWORTH], if he has received any such word as that from the White House?

Mr. LONGWORTH. I will say to the gentleman that I have had no intimation whatever. So far as I know, there is not a word of truth in the statement that the gentleman just read. If any word has come of that nature, it has not come to me or to anybody that I know.

Mr. TINCHER. Mr. Chairman, I believe men are honest. I am not criticizing the gentleman from Louisiana [Mr. ASWELL] for drawing his deductions. He drew them from the headlines in a certain newspaper published in Washington, and he stated so on the floor. Other gentlemen yesterday who took the floor against this bill said, "You are going against the President and voting for something that he does not want and something that he will veto." If there is any Member here who has a message from the President to the effect that he does not want this bill passed, I think he owes it to the Congress and to the President to stand up like a man and say, "I have a message." I believe if the President of the United States had any message to send to Congress, he would send it to the majority leader. [Applause.]

Mr. KINCHELOE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KINCHELOE: Page 7, line 6, after the word "than" strike out the word "five" and insert in lieu thereof the word "two."

Mr. KINCHELOE. Mr. Chairman, before discussing this amendment I want to reply to the gentleman from Kansas [Mr. TINCHER] about the attitude of the President. I want to say that of course I belong to the minority party, and I am on the outside looking in. If anyone knows the attitude of the President on this bill it ought to be the gentleman from Kansas, who, I think, is one of the "autocrats of the breakfast table" at the White House. If anyone knows it ought to to be the gentleman from Kansas, and if he does know he ought to tell this House. But I will say this, that if the President signs this bill, he will eat every word that he uttered on farm legislation in his December message.

I want to call your attention to section 23, which provides that this emergency shall not extend beyond five years. The proponents of this bill have been arguing all the time that this is merely a temporary measure. They say, "We would not vote for this bill for one minute if it was not a temporary measure." If this is ever enacted, and it is ever in effect for five years, you will never repeal it, and you know it.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield there?

Mr. KINCHELOE. In just a second.

Why do I say that? If it is going to work in the beautiful way that the proponents of this bill say it is going to work, if it is going to help the farmer in the way they say it is going to do, then you will build up the great superstructure in five years here by voting $200,000,000 at the first shot out of the Treasury. For what? To build up by artificial stimulants the prices of the agricultural products set out in this bill.

It was asked of the Secretary of Agriculture, who had to come before the committee twice to tell us how he stood on this bill—he was asked if he did not know that when this great artificial superstructure had been built at a cost of hundreds of millions of dollars, not only out of the Treasury, but out of the farmers' pockets, if you cut the props out from under it in five years if there would not be such a panic as the world had never seen before, and the Secretary of Agriculture admitted or intimated that if it had run for five years it would be an absolutely permanent matter.

Mr. BRAND of Ohio. Mr. Chairman, will the gentleman yield.

Mr. KINCHELOE. Not now.

Now, if you adopt my amendment and put it at two years, you will then see whether it is going to work or not. But if you take five years and raise the ratio price of these commodities, then your all-commodity index price, to wit, the 404 commodities, is going to increase in price, and then the laboring man, on account of the increase in the cost of living, is going to come and demand more wages, because he will have the right to; and then if it is to continue in operation, these sweet-scented tariff barons, sitting behind a tariff wall now, will come before you and say, "We want a greater tariff on our products"; and then if you grant that, and cut out the props from under this bill, you will have a catastrophe that will shake this country from center to circumference, and everyone knows it.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. SHALLENBERGER. Will it not fall at the end of two years instead of five years? You will only have it fall quicker.

Mr. KINCHELOE. No. At the end of two years I think you will find out that it will not work, and the sooner the farmer finds it out the better it will be for him, and he will be at you asking for its repeal.

Mr. SUMMERS of Washington. Do you not want it for five years?

Mr. KINCHELOE. Oh, the gentleman from Washington would make it a million years. He is bleeding inwardly anyway, because he tearfully admitted the other day he was now sorry he ever voted for the Fordney-McCumber tariff bill.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto close now.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on this section and all amendments thereto close in one hour.

Mr. NEWTON of Minnesota. Mr. Chairman, the request was on the amendment, not on the section.

Mr. HAUGEN. If objection is made, Mr. Chairman, I will move.

The CHAIRMAN. Does the gentleman from Iowa restrict his unanimous consent to one hour?

Mr. HAUGEN. To one minute.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on the amendment close in one hour.

Mr. PURNELL. Oh, no, Mr. Chairman; not in one hour, but immediately.

The CHAIRMAN. Let the Chair state this for the benefit of the committee. It is extremely difficult for the Chair to hear requests of the chairman unless he states them clearly.

Mr. HAUGEN. I ask unanimous consent that all debate on the pending amendment close in two minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the pending amendment close in two minutes. Is there objection?

Mr. KINCHELOE. Mr. Chairman, reserving the right to object, I do not think the chairman ought to shut off debate on this amendment if anyone desires to speak on it.

Mr. HAUGEN. The gentleman would like to have us stay here until after adjournment?

Mr. KINCHELOE. No; I want a straight shot on your bill, that is all I want.

Mr. HAUGEN. The gentleman served notice yesterday and to-day that he proposes to filibuster. Mr. Chairman, I move that all debate on the pending amendment close in two minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the pending amendment close in two minutes.

Mr. ASWELL. Mr. Chairman, I offer an amendment to make it 20 minutes.

The CHAIRMAN. The gentleman from Louisiana moves to amend the motion of the gentleman from Iowa by making the time 20 minutes.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 49, noes 100.

So the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to amend the motion of the gentleman from Iowa by having all debate on the pending amendment close in 10 minutes.

Mr. KNUTSON. Mr. Chairman, I make the point of order that it is too late to offer that amendment.

The CHAIRMAN. The Chair does not think so. The gentleman from Minnesota moves to make the time 10 minutes.

The question was taken; and on a division (demanded by Mr. NEWTON of Minnesota) there were—ayes 44, noes 95.

So the amendment was rejected.

Mr. BLANTON rose.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. I ask recognition, Mr. Chairman.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa, which is not debatable. The question is on the motion of the gentleman from Iowa to close debate on the pending amendment in two minutes.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 97, noes 15.

So the motion was agreed to.

Mr. BLANTON. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas is recognized for two minutes.

Mr. BLANTON. Mr. Chairman, I am in favor of this amendment. It makes the bill three-fifths less objectionable than it is now, and that is my only reason for being in favor of it.

The gentleman from Kansas says the President has given out no opinion to the public on this bill, and nothing to the leader, and nothing to the steering committee. This is one of the most important bills that has been before Congress. It takes $200,000,000 out of the Treasury; it adds another $1,000,000,000 in bonds to the debt of the United States, and yet the President of the United States as yet has said nothing about the bill, and I think the President ought to give us his position on it.

Mr. TINCHER. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment.

The CHAIRMAN. The gentleman must confine himself to the amendment, which is to change the word "five" to the word "two."

Mr. BLANTON. I will. That is, to make it two years instead of five years. This is after all a $1,200,000,000 bill that is to run for five years, and the President ought to send us a recommendation to adopt the amendment of the gentleman from Kentucky [Mr. KINCHELOE] [applause], because it would then run for only two years, and then we would have a chance to salvage something from this $1,200,000,000 project that is to be a burden on the farmers and other taxpayers of this country.

I wish the gentleman from Kansas [Mr. TINCHER], the gentleman from Ohio [Mr. LONGWORTH], and the distinguished gentleman from New York [Mr. MILLS], who run to the President on every other piece of business in the House, would go down to the White House and have a breakfast, a supper, a dinner, or a luncheon, or something down there, and come back with the message that the President says, "Kill this bill." It will give no relief to the farmers, and it ought to be killed.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the amendment offered by the gentleman from Kentucky [Mr. KINCHELOE].

The question was taken and the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 7, line 6, after "1," insert "unless the President shall otherwise determine and proclaim."

Mr. NEWTON of Minnesota. Mr. Chairman, we have just heard something with reference to the attitude of the President in connection with this legislation. I do not know that it makes very much difference what the President may have said to some individual Member of the House, but it should make a great deal of difference when he appeared before us, as he did on the 6th day of December, called our attention to agricultural relief and there warned us against complicated schemes of relief and legislative price fixing. That message is good enough for me. [Applause.] It was plain enough so that I could understand it and it certainly applies to this bill or the principles of this bill.

The general principles were under discussion all over this country at the time that message was delivered, but apparently in the drafting of this bill there has not been very much consideration given the Chief Executive of the Nation. If this bill is enacted as it is the President will be a sort of appendage of the Department of Agriculture. He is to act when the corporation says he can act.

Congress declares the general emergency, but the only agency which can really effectively act to declare the emergency at an end is this corporation of which the Secretary of Agriculture is the head. This was called to the attention of the committee during the consideration of section 1 and the committee refused to have it changed. It was again called to the attention of the committee yesterday, and again did the committee say, "Well, it is all right. Let the President be the ministerial agent to put this into effect."

Mr. WILLIAMSON. Will the gentleman yield?

Mr. NEWTON of Minnesota. In just a moment. I think this ought to be corrected. I believe when we enact section 23, which says the corporation shall continue until the termination of the emergency as ascertained and proclaimed by the President, that we ought to change that so the President is not restricted to terminating this at the will of the five men whose jobs depend upon the existence of the emergency; but we ought to give him the right to terminate it himself whenever he finds conditions warranting it and whenever he is willing to assume the responsibility. Therefore after section 1 I move to insert this clause, "unless the President shall otherwise determine and proclaim that the corporation is no longer needed."

I yield now to the gentleman from South Dakota.

Mr. WILLIAMSON. I was about to remark to the gentleman, what use is there in establishing this corporation to function on behalf of the farmers as an exporting corporation and then leave it in such condition that the President can absolutely veto any action the corporation sees fit to take?

Mr. NEWTON of Minnesota. Has not the gentleman confidence in the President of the United States?

Mr. WILLIAMSON. If the gentleman has the attitude toward the bill you say he has, I think it ought to be left with the corporation.

Mr. NEWTON of Minnesota. I am not willing to change the governmental structure of this country even to afford agricultural relief, important as that is.

Mr. CRAMTON. Will the gentleman yield?

Mr. NEWTON of Minnesota. I yield to the gentleman from Michigan.

Mr. CRAMTON. Has the gentleman from Minnesota such complete confidence in the President that if this amendment he has offered should be agreed to he would support this bill? [Applause.]

Mr. NEWTON of Minnesota. No; the gentleman could not have been on the floor of the House yesterday when I made the statement that I am opposed to the general principles of this bill; but if it is to pass, I want it to pass freed from as many objectionable features as possible.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto do now close.

Mr. WINGO. I would like to have five minutes.

Mr. HAUGEN. Then I will ask that the debate close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. RAINEY. Reserving the right to object, Mr. Chairman, I would like to have five minutes also.

Mr. HAUGEN. Will it not suit the gentleman just as well to speak on the next section?

Mr. RAINEY. No; I would rather have the time now.

Mr. HAUGEN. Then I ask unanimous consent that debate on this section and all amendments thereto close in 10 minutes.

Mr. ASWELL. I can not agree to closing debate on the entire section in 10 minutes, and I object.

Mr. HAUGEN. Mr. Chairman, I move that debate on this section and all amendments thereto close in 10 minutes.

Mr. GRIFFIN. Mr. Chairman, I make a point of order that the gentleman can not make such a motion after time has been allotted and the gentleman has been recognized.

Mr. WINGO. I have not been recognized.

The CHAIRMAN. The gentleman from Arkansas has not been recognized.

The question is on the motion of the gentleman from Iowa.

The motion was agreed to.

Mr. MOORE of Virginia. Mr. Chairman, a parliamentary inquiry. Is it to be understood that when a motion is carried to close debate upon any proposition that then recognition is to be confined to certain gentlemen who are designated by the chairman of the Committee on Agriculture?

Mr. HAUGEN. Oh, no.

The CHAIRMAN. No.

Mr MOORE of Virginia. That seems to be practically the thing we are doing here now.

The CHAIRMAN. The Chair will state to the gentleman from Virginia that the Chair has no knowledge of such an agreement, and is not bound by it if there is one. The gentleman from Arkansas is recognized.

Mr. WINGO. Mr. Chairman, I want to suggest now to those who are friends of this bill that it might be wise to consider seriously this amendment giving greater discretion to the President, especially in view of the statement of the gentleman from Kansas [Mr. TINCHER], who is one of the leading members of the Committee on Agriculture and also a member of the steering committee, which has just been made to the House, that he does not know whether the President will accept this bill or not. If anybody knows, the gentleman from Kansas should certainly know, a member of the steering committee, and by common repute the gentleman takes breakfast with the President frequently, and surely if he is such a friend of the farmer he has discussed this bill with him. [Laughter.]

I want to submit to you a practical proposition. I am talking to men who really want to get practical relief for the farmers. You know your situation here. A bill that the President of the United States is not in favor of has not any more show at this session of Congress than a snowball in hell, and you know it. Why fool yourselves? I am not talking about whether it is wise to let the President dictate or not.

The Republican Party has got but one leader, and that is Calvin Coolidge, and you know it [applause on the Republican side], and the trouble Cal is having is that he can not get you Republicans to follow him. [Laughter and applause on the Democratic side.] He has got the whip hand on you in this matter. You Republicans are going home. You are going to run away. They could not hold you here. You are going home, like a bunch of studhorses out of a burning barn, on the 7th of June. Do not leave this on Calvin Coolidge's doorsteps, knowing he will veto it, and then go out to the country and try to tell the farmers that Calvin is to blame. They have more respect for Calvin than they have for you.

What the steering committee ought to do, or what the gentleman from Kansas [Mr. TINCHER] ought to do, is to go to the White House and find out how the President stands and then get the best bill for the farmers that you can get.

Oh, the President is not mealy-mouthed. If you will ask him, he will tell you. He told this Congress how he stood on the bonus. He told you how he stood on the tax bill, the Mellon plan. He told you how he stood on pensions for the old Civil War veterans, the Bursum bill, and I do not think he will hesitate one minute to tell you how he stands on this bill.

You have no right to throw away the only opportunity you have at this session to get relief for the farmer by frittering away the time on a bill which the President's closest advisers say he will veto. The leader, the distinguished sage of Medicine Lodge [Mr. TINCHER], says he does not know how the President stands. You had better send him to the White House while this debate is going on, and let the sage of Medicine Lodge ask the President what bill he will sign. I will go so far, if you will get Calvin Coolidge to agree to a bill, I will override my judgment and vote for any farm bill he will sign if it does not violate the Constitution. I will go on with you; but my plea is, do not fritter away the only opportunity you have to do something for the farmer.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. SHALLENBERGER. Does the gentleman wonder at the opinion people have of the Congress when our leader on the floor asks that Congress shall creep to the door of the White House and say, "Please, can we legislate on this question?"

Mr. WINGO. That is the position of our Republican friends. You know the practical situation that exists. The brains, courage, and guts of the Republican Party is in the White House, and the only chance the farmer has is to make some terms with the President. The farmer can not hope for real relief from this disorganized, badly scared, despondent, disconcerted, leaderless group that makes up the Republican majority in the House of Representatives. [Laughter and applause.]

Mr. RAINEY. Mr. Chairman, the driving power back of this bill is not the President of the United States. On the 6th day of last December, referring to the agricultural situation, he expressed himself in language that can not be misunderstood against any bill of this character and suggested to the farmers that the relief they sought did not lie in price-fixing measures. The driving power back of this bill is the farm organizations of the United States, through their officials. They have declared for this bill; they have conducted the major part of the propaganda for it, and that is the reason why so much interest in this bill is being taken by the Members of this body.

Now, in order to determine just how all the farmers really feel about a measure of this kind I want to call attention to a declaration in which all the seven great farming organizations in the United States join with reference to legislation of this very kind. On the 28th of January, 1920, all the great farmers' organizations—seven of them—the American Farm Bureau Federation, the National Farmers' Union, the National Milk Producers' Federation, the American Cotton Association, the National Grange, and the International Farm Congress, held a convention here in Washington. It was the only convention that all the farmers' organizations ever had. They issued this declaration of principles. It was in the form of a memorial to Congress.

It is headed, "Where the farmer stands." I will read a part of it:

The object of the memorial is to correctly express the sentiment of the farmers of the United States concerning the various matters of national concern now pending. It is also designed to correct erroneous statements that have been persistently made recently either by parties who are uninformed or by those who seek to accomplish a political or selfish end by deliberate misrepresentation.

This memorial is not merely the expression of the executives who drafted it. It is in substance a correlated restatement of the resolutions adopted at the last annual meetings of the organizations represented.

Then follows the memorial. I read an extract from it:

The attempt to thwart natural economic laws by legislation is useless. The laws of supply and demand should have full sway.

Government price fixing interferes with the operation of the law of supply and demand and disturbs the equilibrium established by that law. If a price so fixed is higher than justified by supply and demand, it is unjust to the consumer; if lower, it is unjust to the producer.

We are therefore opposed to Government price fixing. And in the event that the State does fix the price of any essential commodity, we insist that it shall at the same time fix prices on all other essential commodities. To compel any group of citizens to sell their products in a regulated market and to buy their supplies and necessities in an unregulated market is an unjust and dangerous discrimination.

The application of price fixing in an effort to reduce the cost of living has militated against the producer without giving the anticipated relief to the consumer. This is resulting in a reduction of the production of wheat, pork, and other farm products, so that a serious shortage of food in 1920 is threatened.

At the end of the memorial, which was addressed to Congress, and you all got copies of it, is a note stating that more than 30 other officials and representatives of the seven organizations signing assisted in the drafting of the memorial. It is dated January 28, 1920.

Mr. WEFALD. That was before the time the farmers were deflated and things have changed since then.

Mr. RAINEY. In 1920 we had circulation of $20 per capita and now we have much less.

Our circulating medium to-day will probably not exceed $36 per capita. All this deflation has occurred under the present administration. I do not think it affects farmers more than it affects other industries, but if it is deflation that has injured farmers this administration is chargeable with that offense. However that may be, the deflation that has occurred has not changed economic laws. Statements contained in this memorial, signed by the American Farm Bureau Federation and the other organizations, are as economically correct to-day as they were then. The position taken by the American Farm Bureau Federation shows the remarkable versatility of the officers of that organization. In 1920 they were proclaiming that high tariff rates would bring to farmers the prosperity they needed, and farmers believed what they told them and turned over the control of the Government to the high tariff party. The Fordney bill was immediately passed and the emergency tariff bill gave them this kind of alleged relief, but it did not work. Farm bureau officials were absolutely wrong about it, and now they propose the pending measure which will not only fail to furnish the relief promised farmers, but will bring with it disaster if it could be enacted into law.

The American Farm Bureau Federation officials have also declared in favor of a ship subsidy and have insisted that this will bring to farmers a measure of relief. Have they abandoned their position now as to a ship subsidy? Do they still think a high tariff protection is what farmers need?

The Illinois Agricultural Association following the leadership of the American Farm Bureau Federation has indorsed more strenuously the bill we are considering than other States. They have sent highly paid lecturers throughout the State. Petitions have been circulated and sent here to Congress, and the president of the Illinois Agricultural Association has been photographed for the newspapers holding in his arms a great bundle of petitions. Two or three years ago we had a constitutional convention in Illinois. We needed a new constitution. Our constitution dated back to 1871 and was out of date. The Illinois Agricultural Association took a hand in the making of a new constitution for Illinois. They sent highly paid lecturers over the State. Petitions were circulated and were sent to delegates to the convention. Largely as a result of this propaganda and the influence exerted by the officials of this organization, a constitution was finally submitted for ratification which was really the constitution of the Illinois Agricultural Association. Its provisions, however, were so bad that members of the bar in rural sections found it necessary

to go out and without compensation explain to farmers the provisions of the constitution, and how much more taxes it would mean for them, and how much more burdensome the machinery of the government in the State would become under the new constitution, and as a result the farmers of Illinois defeated the constitution which had been so strenuously indorsed in their name by officials of the Illinois Agricultural Association.

I am calling attention to these things to indicate that farmers think for themselves. This year the Illinois Agricultural Association has at its disposal in Illinois $300,000, and out of this large fund the extensive propaganda of its officials has been carried on. The American farmer thinks for himself and acts for himself and a measure as bad as this can not and will not meet with his approval when he studies it for himself.

Mr. Chairman, I ask unanimous consent to extend my remarks by printing the memorial from which I have read.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks by printing the memorial. Is there objection?

There was no objection.

The memorial is as follows:

WHERE THE FARMER STANDS

The following memorial to the Congress and the people of the United States was unanimously adopted at a joint meeting of the executive officials of seven of the largest and most representative national agricultural organizations at Washington, D. C., January 28, 1920.

The organizations joining in the memorial are the International Farm Congress, the National Grange, the American Farm Bureau Federation, the National Farmers' Union, the National Milk Producers' Federation, the Farmers' National Congress, and the American Cotton Association.

The object of the memorial is to correctly express the sentiment of the farmers of the United States concerning the various matters of national concern now pending. It is also designed to correct erroneous statements that have been persistently made recently, either by parties who are uninformed or by those who seek to accomplish a political or selfish end by deliberate misrepresentation.

This memorial is not merely the expression of the executives who drafted it; it is in substance a correlated restatement of the resolutions adopted at the last annual meetings of the organizations represented.

Memorial to the President, the Congress, and the people of the United States:

The executives and accredited representatives of the various organizations subscribing hereto respectfully submit for your consideration the following memorial, certifying that it well and truthfully sets forth in substance the views of the members of said organizations and declaring that it reflects the attitude of the great majority of the farmers of the United States.

THE FARMERS' INTEREST IN GENERAL INDUSTRIAL AFFAIRS

Agriculture is the basis of all commerce and industry. The great world need of to-day is production. Production is dependent upon labor. The solidarity of labor is such that the wages and hours of work prevailing in other industries are reflected upon the farm. Prices of food products will be determined accordingly. Under present conditions agriculture production must materially decline and thus react against the entire industrial system. In view of this recognized economic law we submit that it will be wise to consider the farmer in any industrial plan adopted.

The theory that farming must be reduced to a basis whereon each farmer does all his own work, dispensing with hired help as something beyond his means, is untenable. It implies working hours so long and tasks so arduous that no man other than one compelled by necessity to protect his investment at the expense of his health and the sacrifice of well-earned hours of rest and recreation will perform them. Society has no right to exact or expect such service from any class of citizens.

COUNTRY AND FLAG FIRST

The first and constant obligation of every citizen and of every organization of citizens is undivided loyalty to our country. Its institutions must be protected and its traditions preserved and respected. No conflicting obligations can be tolerated.

ADEQUATE PRODUCTION

The farmers of the United States are continuing their best efforts to produce abundant foodstuffs; and, contending that production in the factories, mines, and mills is second in importance only to that of the farms, they demand of both labor and capital that they, too, shall earnestly and consistently speed up their part of the production so urgently needed.

We have reached the critical point in regard to shorter hours of labor. A 44-hour week will neither feed nor clothe the world.

BASIC PRINCIPLES UNCHANGED

The frequent assertion that the war has brought fundamental economic and industrial changes and that we are "born into a new world" is without foundation. The same principles of right and wrong, the same social standards and economic laws, will continue to prevail. We are not being ushered into any new era wherein the rights of the individual or his obligation to society are changed.

OBSERVE ECONOMIC LAWS

The attempt to thwart natural economic laws by legislation is useless. The law of supply and demand should have full sway.

Government price fixing interferes with the operation of the law of supply and demand and disturbs the equilibrium established by that law. If a price so fixed is higher than is justified by supply and demand, it is unjust to the consumer; if lower, it is unjust to the producer.

We are therefore opposed to Government price fixing. And in the event that the State does fix the price of any essential commodity, we insist that it shall at the same time fix prices on all other essential commodities. To compel any group of citizens to sell their products in a regulated market and to buy their supplies and necessities in an unregulated market is an unjust and dangerous discrimination.

The application of price fixing in an effort to reduce the cost of living has militated against the producer without giving the anticipated relief to the consumer. This is resulting in a reduction of the production of wheat, pork, and other farm products, so that a serious shortage of food in 1920 is threatened.

PROTECTION OF PRIVATE PROPERTY

It is only in the safeguarding and protection of every right of private property that there can be perpetuated the full measure of individual initiative and emulation upon which a democracy is based and by which its future is assured.

PROFITEERING

We condemn in unmeasured terms those who, ignoring the distress their actions cause, and unmindful of the danger signals that are only too apparent, continue to exact excessive profits in dealing with the necessities of life. The sharing of such profits with employees does not correct the evil.

The purchasing public itself is largely to blame for the existing high prices and high cost of living, by reason of its unchecked orgy of useless and senseless buying.

We favor the greatest possible degree of official publicity not only regarding the cost of producing farm products but also the cost of producing, manufacturing, distributing, and selling, wholesale and retail, of all commodities, to the end that the consuming public may be able to determine who are the profiteers.

OWNERSHIP OF RAILROADS

The Government ownership or continued operation of railroads is most emphatically opposed. It is against good public policy and the principles of sound Americanism. We are convinced that any possible emergency calling for such operation has passed; that its continuance is costly, inefficient, and inadvisable. We urge Congress to expedite legislation providing for the proper reorganization, reequipment, and control of the railroads under private ownership; that this legislation be as plain as possible, and providing as few restrictions and complications as will properly protect the superior interests of the public. We are opposed to a Government guaranty of dividends or a Government subsidy.

GOVERNMENTAL ECONOMY

Strict economy in public expenditures for all departments of Government is essential, as is the elimination of such customs in the transaction of public affairs as add expense and delay in rendering efficient service, and the discontinuance of all departments and the dismissal of all employees not rendering such service.

COLLECTIVE BARGAINING

We urge such amendments of laws, both State and Federal, as will restore to farmers the clear right of collectively marketing their products in accordance with the principles of the Capper-Hersman bill now pending in Congress.

COMPULSORY MILITARY TRAINING

We are opposed to compulsory military training and a large standing Army in time of peace.

DAYLIGHT SAVING

We commend the act of Congress in repealing the so-called daylight saving law, and oppose any action to revive such legislation by Federal, State, or municipal action.

THE RIGHT TO STRIKE

The right to cease work, individually or collectively, for adequate reasons, is unassailable; but the practice of indiscriminate striking, for trivial causes or regardless of the distress or damage caused, is

indefensible. No right exists to compel men to strike or to prevent others from working. Neither does the right to strike or cease work in unison extend to those in Federal, State, or municipal service.

APPRECIATION OF COUNTRY

This is the best country the sun shines on. Its opportunities are boundless and are open to every individual who cares to avail himself of them. Its Government is the best in the world. There is nothing fundamentally wrong with it. A people who would not appreciate and defend it would be unworthy to exist as a nation. A man who would injure or destroy it is unfit to live under the protection of its flag.

Adopted at Washington, D. C., this 28th day of January, 1920.

THE INTERNATIONAL FARM CONGRESS,
By W. I. DRUMMOND, *Chairman Board of Governors.*
THE NATIONAL GRANGE,
By T. C. ATKESON, *Washington Representative.*
AMERICAN FARM BUREAU FEDERATION,
By J. R. HOWARD, *President.*
NATIONAL FARMERS' UNION,
By R. F. BOWER, *Washington Representative.*
NATIONAL MILK PRODUCERS' FEDERATION,
By JOHN D. MILLER,
Representing President Milo D. Campbell.
THE FARMERS' NATIONAL CONGRESS,
By O. G. SMITH, *President.*
THE AMERICAN COTTON ASSOCIATION,
By ——— ———.

[NOTE.—More than 30 other officials and representatives of the seven organizations signing assisted in the drafting of the memorial.]

Mr. GRIFFIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRIFFIN. When the motion was made to close debate in 10 minutes it is my recollection that the gentleman from Arkansas [Mr. WINGO] was on his feet and had been recognized by the Chair. In that event debate would have five minutes further to go. If the Chair decides that that is not the case and all debate is closed on this section, is it in order to offer an amendment without debate? I have an amendment.

The CHAIRMAN. The gentleman from Arkansas had not been recognized at the time the time was fixed. The Chair will first put the motion on the amendment of the gentleman from Minnesota. The question is on the amendment offered by the gentleman from Minnesota [Mr. NEWTON].

The question was taken, and the amendment was rejected.

Mr. GRIFFIN. I offer the following amendment.

The Clerk read as follows:

Page 7, line 6, after the word "than," strike out "five years" and insert "three years."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

TERM OF OFFICE—VACANCIES—QUORUM

SEC. 24. The directors shall hold office during the corporate existence. Vacancies in the board shall not impair the power of the remaining directors to execute the functions of the board, and shall be filled in the same manner as the original appointment. Three directors shall constitute a quorum for the transaction of the business of the board.

Mr. MILLS. Mr. Chairman, I move to strike out the last word. I have not spoken on this bill and had not intended to do so, because I felt that perhaps the gentlemen from the agricultural districts would feel that a New York City man did not have much to offer in the way of agricultural relief. Yet in view of the character of the debate and the information that has been submitted to the House, it seems to me that on the whole perhaps it would be well to call certain facts to the attention of the House.

In the first place, throughout this debate agriculture and the agricultural problem has been treated as a whole, as if there were a single agricultural problem. I deny that that is the case. There is no single agricultural problem, and there is no single agricultural cure.

The problem of the cotton grower is very different from the problem of the wheat grower. Therefore, it seems to me that it is an economic mistake to treat agriculture as a whole in discussing agricultural relief. However, if you insist upon discussing agriculture as a whole, what do you find? You find that the condition of agriculture as a whole in the course of the last three years has very greatly improved, and if you insist on treating the agricultural problem as a whole, then the figures show unmistakably that the problem is in a fair way to solve itself. Take the three months of April, 1921, 1922, and 1924. Curiously enough, in all three months the general commodity index stands at 148. Why does it stand at 148 in view of the fact that many commodities have decreased in price? Because agricultural commodities have so risen in price as to counterbalance the decrease in other commodities. Farm products in April, 1921, stood at 117, and in April, 1924, at 139, or an increase of 22 points. Cloth and clothing stood at 176 in April, 1921, and 1924 at 189, or an increase of 13 points. Due to what? Due to the increased cost of cotton and wool in the main. Practically every other commodity, with one exception, in the general commodity index has come down, and so you find that the very desirable process is taking place of having farm products gradually going up while the price of other commodities are coming down.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I should like to complete this statement. Here is a very interesting proposition. The price of food stood at 144 in April, 1921, and at 137 in 1924, or a decrease of 7 points. Farm products are going up, but the price of food is coming down. In other words, the great margin between the price paid to the farmer and the price paid by the ultimate consumer is gradually being narrowed, a most desirable tendency.

Mr. KETCHAM rose.

Mr. MILLS. I can not yield. With the consent of the committee, I insert at this point the following two tables:

Wholesale price index numbers, by groups, for three periods at which all-commodities index stood at 148

Group	April, 1921	May, 1922	April, 1924
Farm products	117	132	139
Foods	144	138	137
Cloth and clothing	176	175	189
Fuel and lighting	205	216	179
Metals and metal products	138	119	139
Building materials	167	160	182
Chemicals and drugs	135	122	129
House furnishings	216	176	173
Miscellaneous	130	116	115
All commodities	148	148	148

Data from Bureau of Labor Statistics, United States Department of Labor.

Price, index numbers, and average prices of important farm products, based on data from the Department of Labor, 1905–1914, average equals 100

Years	All commodities index	All farm products index	Wheat, No. 1 Northern		Hogs, heavy		Cattle, steers, good to choice		Corn, contract grades		Cotton, middling upland, New York	
			Price, bushel	Index	Price, 100 pounds	Index	Price, 100 pounds	Index	Price, bushel	Index	Price, pounds	Index
1905–1914	100	100	$0.998	100	$7.099	100	$6.853	100	$0.602	100	$0.120	100
1913	106	108	.913	95	8.365	118	8.507	123	.625	104	.128	107
1914	103	111	1.041	108	8.361	118	9.039	132	.695	115	.121	101
1915	107	112	1.344	139	7.131	100	8.702	127	.730	121	.102	84
1916	134	132	1.417	147	9.615	135	9.573	140	.825	137	.145	121
1917	187	204	2.321	241	15.705	221	12.809	187	1.637	272	.235	197
1918	205	235	2.235	232	17.600	247	16.424	239	1.605	267	.318	265
1919	218	249	2.563	266	18.244	256	17.496	256	1.597	265	.325	271
1920	239	235	2.601	270	14.187	200	14.486	211	1.414	234	.339	283
1921	155	133	1.466	152	8.473	119	8.780	128	.580	96	.151	126
1922	157	143	1.282	133	9.393	132	9.438	138	.623	104	.212	177
1923	163	152	1.155	120	7.690	108	9.952	145	.821	136	.293	244
Price if fixed at 1923 index number			1.627	163	11.571	163	11.179	163	.981	163	.195	163

Price, index numbers, and average prices of important farm products, based on data from the Department of Labor, 1905–1914, average equals 100—Continued

Years	Butter, creamery, extra, New York		Cheese, whole milk, New York		Weighted index on dried fruits [1]	Tobacco, burley, dark red		Wool, fine		Wool, medium	
	Price, pound	Index	Price, pound	Index		Price, 100 pounds	Index	Price, pound	Index	Price, pound	Index
1905–1914	$0.285	100	$0.145	100	100	$14.118	100	$0.680	100	$0.492	100
1913	.323	113	.154	106	93	13.202	93	.589	86	.471	96
1914	.299	105	.152	105	122	14.654	103	.579	85	.440	89
1915	.299	105	.151	105	101	13.789	97	.665	98	.571	116
1916	.341	120	.181	124	99	15.231	107	.775	114	.680	138
1917	.427	149	.241	166	131	22.302	158	1.471	206	1.164	232
1918	.516	181	.268	185	144	36.567	259	1.804	253	1.440	288
1919	.605	213	.315	217	204	32.346	229	1.728	242	1.189	237
1920	.614	215	.274	189	262	34.183	242	1.673	235	.971	194
1921	.434	152	.204	140	202	29.293	207	.791	111	.508	101
1922	.406	143	.218	150	169	27.500	194	1.219	171	.782	157
1923	.468	162	.241	167	124	27.779	196	1.376	193	.979	195
Price if fixed at 1923 index number	.465	163	.236	163	.....	23.012	163	1.108	163	.802	163

[1] Includes evaporated apples, currants, prunes, and raisins.

If, however, you do not treat the agricultural problem as a single unit, but treat it as it should be treated, as a series of problems, varying with the locality and the character of the products, what do you find in 1923? You find that wheat, hogs, and cattle were below the general commodity index number, but you find that butter, cream, cheese, tobacco, wool, and cotton were all well above the general commodity index number. In other words, a large proportion of farm products are all commanding an adequate price, while three are very obviously commanding a totally inadequate price. The gentlemen representing agricultural communities come before the people of the United States, and in order to remedy this situation which exists in respect of two or three agricultural commodities propose to tamper with the whole price structure of the United States.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MILLS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon this section and all amendments thereto close in 15 minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Not now.

Mr. McKEOWN. I want to know why 1920 was not included?

Mr. MILLS. Let me make this observation, not of course as a representative of agriculture, not as a representative of the consumer, though I represent a district of consumers, but simply as an individual who has dabbled somewhat in economics, and has made a study of this bill with an entirely free and open mind. In order to raise the price of these commodities you gentlemen propose to create this machinery which will for all practical purposes permit a Government unit to fix prices of agricultural commodities in this country. Agricultural commodities represent 49 per cent of the commodities that compose the general index number of the Bureau of Labor Statistics. You propose to raise the price of those products that are below the general index number, but you do not propose to touch the price of agricultural commodities that are above the general index number. Therefore, when you undertake to bring up the general price of farm products from 152 to 163, or increase it 11 points, you will not only increase the general commodities index number by 49 per cent of those 11 points, but you will increase it an additional number of points because you do not propose to bring down the farm products above the general index number while bringing up to the general level those that are below it. Therefore, in that process you will probably raise the general commodity index number to somewhere near 171, 172, or 173. But you can not pull the commodity index number up 10 points without raising the cost of living.

If we raise the cost of living, you inevitably start a wage-increase movement. If you increase wages, you will in turn increase the price of commodities. Let us assume that that means a further increase of the commodity index number by 5 or 6 points; the first thing you know you have a general commodity index standing at 179. Then you have again to go back and pull the backward agricultural products up to that point, and you can repeat the process indefinitely.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Yes.

Mr. KINCHELOE. In view of the fact that in this bill the President has the power to put an embargo, if necessary, on all of these products, their derivatives or substitutes, how many items in the present tariff law does the gentleman think would become involved?

Mr. MILLS. I saw an analysis made, and there were scores of them.

Mr. KINCHELOE. Does the gentleman remember the number?

Mr. MILLS. No; I do not. As this process takes place you are going to raise the cost of manufacturing and producing in this country and at the same time, by giving cheap foods to the foreigners, you are going to decrease the cost of manufacturing and producing abroad, and the first thing you know manufacturing products are going to begin to flow in over the existing tariff barrier and our economic prosperity is going to be threatened.

Just one further observation, gentlemen.

Men do not wait until this kind of crisis hits them. If my analysis is correct, then I venture to say that the analysis will be the precise analysis that will be made by the business men of this country, and if their conclusion is the same as my conclusion the minute this bill becomes law you will see them pulling in, you will see business slowing up, you will see every man in business taking every precaution he can to save himself from the crash, and you will see inside of six months the biggest business depression you have ever seen in the United States. The very man you are trying to help will not escape the general disaster. Talk as you may about exports, the home market is the important one; and the farmer is directly interested in the prosperity of our industrial centers. Good times increase the consumption of farm products; poor times decrease it. Study the table which I insert and you will see how this is illustrated by the history of the last three years. Take meat products, for instance. Home consumption has increased 3,000,000,000 pounds, while total exports only amount to 2,000,000,000 pounds. The country must have a prosperous farmer, but the farmer must have a prosperous country. It is because this bill, while seeking to cure a specific ill, threatens the general prosperity that I am compelled to oppose it.

Apparent domestic consumption of principal farm products

Commodities	Units	Consumption (000 omitted)	
		1921	1923
Wheat	Bushels	572,642	648,803
Rye	do	15,940	11,611
Corn	do	3,007,401	2,960,468
Oats	do	1,077,834	1,281,543
Barley	do	134,489	179,902
Potatoes	do	360,269	409,983
Beef and veal	Pounds	6,982,000	7,791,000
Pork	do	7,857,000	10,113,000
Lard	do	1,214,000	1,804,000
Mutton and lamb	do	673,000	574,000
All meats	do	15,512,000	18,481,000
Tobacco	do	639,802	838,049
Cotton	Bales	5,407	6,514
Wool	Pounds	635,388	769,920

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KVALE. Mr. Chairman, I do not dispute the right of the gentleman from New York to talk economics to this House, nor do I question the correctness of the figures he has adduced here. I want to take exception to the threats that he has uttered in the name of big business in this country that business will pull in and that inside of six months we are going to have the biggest business depression ever known in the United States. We are familiar with those threats. It is not the first time they have been uttered in this House, and it is not the first time they have been uttered by the representatives of that class of business. I think this House should show the gentleman that we refuse to be terrified; that we refuse to be intimidated by the threats of big business. If anyone is still in doubt as to what attitude he should take toward this bill, I think the very threat of a representative of big business should help him to decide.

Mr. McKEOWN. Will the gentleman yield?

Mr. KVALE. I will.

Mr. McKEOWN. Does the gentleman think that business in some parts of this country can be hurt any worse than now?

Mr. KVALE. In my section of the country the farmers are in more dire straits than they have ever found themselves. I will undertake to say to the gentleman from New York that while he may know a great deal more about business and about economics than I do, I have lately been out West and can tell him that the situation is not improving out there. On the contrary, it is getting worse, and I do not know where he obtained the figures that he has given to the committee.

Mr. MILLS. I will tell the gentleman those figures are compiled by the Bureau of Labor Statistics.

Mr. KVALE. Very well, the figures may be all right for the whole country, but conditions are worse out West instead of better. I want to say this, that for three years we have read in the papers that conditions are improving and are going to improve, and we have been fed up on Babson's statistics for three years out West. It reminds me of the young lady, considerably beyond her teens, who was reported to be engaged to be married. Her friends said to her: "Miranda, the rumor is out that you are to be married. Is there anything in it?" And Miranda answered, "No, there is not; but thank the Lord for the rumor anyway." [Laughter.]

That is the case with the farmer reading Babson's statistics. He is thankful even for the rumor, only he is too serious just now to laugh about it. I have as much faith in Babson's prognostications as I have in the brand of Christianity he is advocating. So much for that matter.

I would like to say a few words on the price-fixing part of this bill. I do not believe in price fixing as a matter of sound policy, and I said so in the price-stabilizing meetings that we held out in our section of the country last summer. But, as a matter of emergency, I believe in balancing the price fixing we have had here for years by the tariff and the so-called guaranty section of the Esch-Cummins Act, and many other things.

Mr. SUMNERS of Texas. Are not the farmers being victimized by the price fixing of a high tariff, and is not business going to the bad, as indicated by——

Mr. KVALE. I believe the farmers have been victimized by price fixing, and I say in this case we should, as a matter of emergency, help him by continuing the policy, even if it is not sound economics, and——

Mr. SUMNERS of Texas. The gentleman is trying to apply to agriculture what all other industries already have applied to them?

Mr. KVALE. Precisely. I agree with every syllable the gentleman has uttered. The trouble with the gentleman from New York is that he is very willing to have the price-fixing tariff apply to the people he represents. They have been safeguarded by a high wall of protection these many years. The tariff has been price fixing with a vengeance. But now, when this same principle—sound or unsound—is to be applied for the protection of prostrate agriculture, he immediately objects and utters his dire threats.

Now, I would like to read from a book, the report I hold in my hand; it should prove most interesting for every Member of this House. It is as exciting as Robinson Crusoe to a boy, and to anyone interested in having a government corporation handling our grain exports it reads as musically and rhythmically as George Eliot's novels. It is a report of the Federal Trade Commission on the methods and operation of trade exporters and grain speculators, and gives an insight into their methods of price-fixing which is exceedingly interesting.

If time would permit, I would read to you several extracts and excerpts which would establish conclusively in your minds the fact that this measure we are now considering is a needed measure, and one that would ameliorate and supplant the disgraceful conditions now obtaining.

Take Volume II of the report I have called to your attention entitled "Speculation, competition, and prices," under date of June 18, 1923, and turn first to page 15 of the introduction. Victor Murdock, the then chairman of the commission, in his letter of submittal of the report to the President of the Senate, states that "there were two distinct price agreements in 1921"—referring, mind you, to the secret agreement between grain buyers—and the statement is verified by 48 pages, in the report, of incontrovertible evidence in the form of correspondence between officials of the exporting concerns.

Then turn to page 199 and you will find statistical information in tables 33 and 34 to show, in the words of the report, that "50 per cent of the wheat purchased for export by the six concerns in the year ending June 30, 1920, and over 54 per cent the following year, were graded as No. 2 wheat when it was taken into the elevator, while, after mixing, 96 per cent in the former year and 88 per cent in 1921 were sold as No. 2 wheat."

Do you see the significance? You need not look far. The exporters pay the producer for cheap grades, and market it for the higher No. 2 grade by mixing it. The report goes on to say that "in both years wheat grading as low as No. 5 and 'sample' was included in the mixture."

I say it would be better for us as a country to have a government corporation, one where these profits, even though the demands of foreign trade make this mixing a necessary evil, would accrue to the farmer himself. And I am also glad that no amendment is carried granting any more power to the President. I would leave it with the corporation.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KVALE. Mr. Chairman, may I have one minute more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KVALE. While not always a safe guide it often helps us to decide for or against a measure to know who are advocating it and who are opposing it.

We have one man in this country, a brainy business man, fighting this measure tooth and nail, who is in love with the farmer, truly and deeply interested in the farmer. That is, he loves the farmer in much the same way that the farmer loves his sheep—if that is not slandering the farmer, who actually is interested in his sheep entirely aside from the wool and mutton they bring him. This man, Julius H. Barnes—and I speak not of the human being, but of the sheepshearing, soulless corporation, Julius Barnes & Co.—has a wool and mutton interest in the farmer. And he is opposing this measure with all his might.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. KVALE. I yield.

Mr. KINCHELOE. Does not the gentleman believe that Otto Kahn, who is sponsoring this bill, is just as good a friend to the farmer as Julius Barnes?

Mr. KVALE. I am not now talking about the bankers and the packers. I leave that to the gentleman. But I do know how the grain speculators of this country feel about this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CARTER. Mr. Chairman, I trust I may have the undivided attention of the House, for I want to address myself to a subject which I am sure is much more serious than most of you realize. I want to impress upon you, as I have undertaken to do before—the Agricultural Committee and other branches of this Congress and administration—the extremely deplorable condition to which the agricultural producers in Oklahoma and other Western States have for the past four years been subjected.

Born and raised, as I was, on a farm on the western frontier, and intimately associated with the farmers of Oklahoma for all my past life, I believe I understand their problems and trials as well as anyone, and depending throughout all the years of my life on the income from my Oklahoma farm for a portion of my living, I know I am in as full sympathy with the present deplorable condition of the Oklahoma farmers as any living man. But the difficulty is that the "powers that be" in this administration, and, in fact, the leaders of this House, do not seem to even remotely realize the desperate condition to which the farmers in many sections of the West have been reduced. Crop failure has followed crop failure, and the price of farm

products has been reduced and deflated with no corresponding reduction in the price of things they have to buy until our farmers have about lost heart and courage.

Most of the formerly prosperous Oklahoma farmers and stockmen have been forced into bankruptcy, while many others having mortgaged their all for a little place on which to live and subsist have been foreclosed and driven from their little homes. Still others not fortunate enough to own a home, while perhaps not yet quite actually facing hunger, have been reduced to almost destitute circumstances, have become disheartened, discouraged, and almost reached the limit of despair. And yet there are those who attempt to brush this serious matter aside by saying, "Oh, the farmer is just seeing red." Is it any wonder if he is seeing red? Is it any wonder that a man forced into bankruptcy with his home and all being swept away might have his vision somewhat discolored? Is it any wonder that a man who thinks he can scent the gaunt wolf of hunger menacing him and his loved ones in the not very distant future might fall into a "slough of despond"?

This depression in agriculture is now in its fourth year, with a national administration functioning through all this time and a Congress in session for most of the time. It seems to me bordering on a tragedy that these conditions have been permitted to drift along with no substantial aid extended to the suffering. Ah, but some one of you will say, "CARTER, we can not legislate to relieve the farmer without indulging in class legislation, and you know that would be a violation of the Constitution." Let me ask my friends what became of your objections to class legislation when you passed through this House the so-called ship subsidy bill, intended to give millions of dollars of the people's money to a class known as ship operators, all living and doing business along the coast of our country? Where were your principles on class legislation? Where were your constitutional objections when you passed the McCumber-Fordney tariff bill forcing farmers and all others in the country to pay tribute to the manufacturing interests of this country? If it be class legislation to respond to the present distress of the farmers in this country, then why was it not class legislation to respond to the demands of the shipowners and tariff barons?

Legislation to relieve this situation should not, in my opinion, be rightfully styled as class legislation for the reason that this depression has reached the point where it affects not only the agricultural producers alone but the entire business fabric of the country. Agriculture is the basic industry of our Nation. More than 40,000,000 people depend directly on the agricultural industry for a livelihood, and it must be admitted that any permanent prosperity of our Nation, in the last analysis, must rest entirely upon the prosperity of our Nation's farmers. Present conditions fully justify this statement, for this depression in agriculture has finally reached out to all business lines west of the Allegheny Mountains, and you are at last beginning to feel the effects here in the East. Merchants and tradesmen are on the verge of bankruptcy, and failure of State and National banks has come to be the order of the day. In the State of Oklahoma alone almost 100 State and National banks have closed their doors during these abnormal times. So, I repeat, the problem has ceased to be the farmers' problem. It is no longer a problem of the West. Such a serious general situation must necessarily be considered the problem of the entire Nation, and legislation to relieve same can no longer fairly be denominated as class legislation.

We have had considerable discussion the past few days about the attitude of the President of the United States in case this bill should reach him for approval or veto. Some gentlemen profess to believe that he would sign the bill. Oh, gentlemen, let us be honest with ourselves. Deep down in our hearts I do not believe there is a reasonable doubt in the minds of a single one of us as to what that hard-boiled Yankee down in the White House will do if the responsibility of signing this bill is put right up to him. [Laughter.] But that responsibility will never be placed before him. The majority leaders in the House and Senate will see to that. They are a foxy bunch and they are not going to permit this bill to come before the President for veto before the next November election.

Mr. WEFALD. I think he would sign it.

Mr. CARTER. Oh, my friend lets his optimism overwhelm his better judgment. I would like to see this bill passed through both branches of this Congress and then put right up against the vest buttons of that reactionary New Englander down in the White House, and I would like to see that done before the next election, because he is a politician first, last, and all the time, and the bill would not have a ghost of a chance to get his approval after the election is over. [Applause.] If the President should sign this bill before the election, it would turn the East against him, and if he should use that very significant little Latin word in returning it to Congress he would offend the farmers in the Northwest. Therefore why kid yourselves about a thing as obvious as this. I am going to vote for this bill. [Applause.] Not that I hope it is going to benefit the farmers in my district to any considerable extent, but I am going to vote for it because it is the only farm-relief measure that has been offered during all these six months of our session, with the hope that it may help the farmers in other sections.

Mr. YATES. The gentleman believes, all things considered, that this is the best thing for the farmer at the present time, does he not?

Mr. CARTER. I consider that it is the one, single, solitary piece of legislation that has been offered during this administration with the intent to relieve the sad condition of the farmers of the country, and we all know it is the only measure we will have an opportunity to vote on before adjournment, but this bill does not meet my ideas of the necessary steps for relief.

I gave strict attention to the remarks of the gentleman from New York [Mr. MILLS]. His economic analysis was directed to the necessity of reducing the prices of the things the farmer has to buy, rather than increasing the prices of things he produces, and there is much food for thought in that suggestion. I do not often find myself in agreement with the gentleman from New York, but I admit my interest in his practical suggestions. He is an able debater and practical, but like all other advocates of the protective policy he often meets himself coming back. He professes a belief in reducing the price of things the farmer has to buy, yet he must admit that the McCumber-Fordney high tariff rates have contributed effectively to the high prices which the farmers now have to pay, and yet the gentleman from New York was one of the most ardent advocates in favor of the McCumber-Fordney tariff bill with all its high schedules. When a revision of the tariff is undertaken again we will find the gentleman from New York strongly and ably defending the necessity for high protective rates. If that is the way to reduce the price of things the consumers have to buy, then it is a logic and analysis I fail to understand.

I believe this situation might be relieved and prosperity gradually restored to our agricultural interests without resorting to anything that even smacks of class legislation. I think by now that no one will deny that one of the principal causes contributing to our present agricultural depression was the radical deflation of our currency. That, however, is water that has gone over the wheel. The only thing we can do about that is to take steps to see that such a calamity does not recur in the future; but even that has not been done.

Another thing I think will now be generally admitted, and that is that one of the most serious menaces confronting our farmers has been the collapse of foreign markets for surplus agricultural products. This has come about on account of the vacillating foreign policy of the present administration. The Wilson administration had a well-defined foreign policy which, if carried out, in my opinion would have substantially stabilized and maintained the world's market for farm products. But the policy of isolation pursued by this administration since the war has completely negatived those plans, and if this administration has any foreign policy with reference to stabilizing the world's markets nobody has ever been able to ascertain just what it is. Steps should have been taken long ago for the restoration, maintenance, and stabilization of foreign markets for surplus American foodstuffs. This great Nation should have continued the plans of practical national cooperation with respect to finance, exchange, credit, and the trade situation generally. Such a policy would have assisted the hundreds of millions of short-rationed people in Europe to purchase every surplus ounce of our foodstuffs and raw material, thereby maintaining a market level for agricultural products in America on a parity with that of other commodities.

Second. We should have a reasonable readjustment downward of freight rates, especially as they relate to transportation of agricultural products.

Third. Every legitimate aid and encouragement should be extended by the Federal Government in every practical way to cooperative marketing and all other farm cooperation, including transportation and distribution at the cheapest possible cost to the consumer. This is the purpose of H. R. 8108. In connection with this there should be some assistance rendered in the building of warehouses for storage purposes.

Fourth. We should continue every possible and legitimate agency for supplying adequate credit to agriculture.

Fifth. We should have a general reduction and readjustment of high tariff rates, and this reduction should be based on a

revenue basis, including an extensive farmers' free list, thus facilitating an exchange of our products with foreign countries, for remember this: We can not hope to sell our surplus farm products abroad unless we also purchase things from foreign nations in return. It has been admitted during this discussion by many Republicans that the present high tariff rates prevent the exchange of these products. Not only has the present high tariff contributed to the collapsed condition of our foreign market for farm products but it has also resulted in increasing the domestic price of commodities the farmers and other consumers had to purchase, thereby laying an additional burden and tax on the American farmer.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent that the gentleman from Oklahoma may have five minutes more.

The CHAIRMAN. That has to be done by motion.

Mr. HUDSPETH. Then, I move that the gentleman from Oklahoma may have five minutes more, not to be taken out of the time allotted.

The CHAIRMAN. The gentleman from Texas moves that the gentleman from Oklahoma may have five minutes more. The question is on agreeing to that motion.

The motion was agreed to.

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. WHITE of Kansas. Does the gentleman from Oklahoma think that the duty on wool should be greatly reduced?

Mr. CARTER. We would naturally expect to hear from our friend from Kansas on the subject of wool, and this accentuates the declaration of a former great statesman that the tariff is a local issue. I can not say offhand just how much the tariff on wool might be reduced. I understand the price of wool is higher in the world market to-day than it is in the United States.

Mr. WHITE of Kansas. I do not think it should be reduced.

Mr. CARTER. As Kansas is a wool-growing State the gentleman from Kansas would naturally hold that opinion. On that account the gentleman might be considered a biased witness and his statement must be taken as entirely ex parte.

Mr. WHITE of Kansas. I am trying to find out what the gentleman from Oklahoma thinks, and I hope my question was both pertinent and polite.

Mr. CARTER. It was a very pertinent question and not impolite; but wool was not the subject I had in mind. The gentleman knows there are many things which the farmer has to buy that are practically excluded from this country on account of the present high tariff laws. The tariff on iron and steel, for instance, is practically prohibitive and iron and steel enter into the manufacture of all farm machinery, and many other things the farmer needs. The same thing might be said of the manufacture of textiles. But let me finish the statement of my program for the relief of the farmers.

We should further have a drastic retrenchment and economy in Federal, State, county, and municipal affairs, with a corresponding tax reduction. Reduction of taxes in one branch of the Government while being increased in another branch gets us nowhere. Any tax reduction relief to be effective must be inaugurated all down the line.

Early in this session our Members from Oklahoma succeeded in having placed on the House Calendar House Joint Resolution 202, authorizing an appropriation of $1,000,000 to be loaned to Oklahoma farmers for the purchase of seeds, and so forth, to assist them in making the coming crop; but, exert ourselves as we would, we have been unable to induce the leaders of the House to give consideration to that measure. Congress has found ample time for adequate consideration and favorable action on $160,000,000 increase to our Navy. You did not hesitate to appropriate $10,000,000 to supply the wants of the destitute citizenship of foreign countries, but you have no time, you have no money, and no opportunity for consideration of this small measure of relief for the bankrupt farmers of the State of Oklahoma.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

The Clerk read as follows:

SALARIES OF DIRECTORS

SEC. 25. The appointed directors shall receive a salary of $10,000 a year, and shall not actively engage in any other business, vocation, or employment.

Mr. BEGG. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, a number of gentlemen have in their speeches undertaken to lay the blame for the economic condition which affects the farmers to-day on the tariff. Now, that kind of a statement is in line with the average antitariff speech made by Democrats in a regular political campaign, but if you check up on the facts, you find that the facts do not justify such a statement.

Now, what are the facts? Immediately after the signing of the armistice in 1918 we had an influx into this country of 250,000,000 pounds of wool, and wool dropped in this country from about 60 or 65 cents a pound down to 19 cents and even as low as 11 cents to the farmers.

Mr. MORGAN. Will the gentleman yield?

Mr. BEGG. No; I do not want to yield now to anybody. As soon as the emergency tariff act was passed the drop in the price of wool ceased and it gradually began to increase until to-day, under the tariff provisions, wool is not out of joint economically with other prices, even the prices of the farmers.

Now, then, I want to show something about the tariff on wheat. It seems to be a stock argument that the farmer has to pay a tariff on everything he buys, and that on everything he sells he gets no tariff. Now, these are not my figures, but they are the figures of the Department of Agriculture, and if they are wrong you can blame the Department of Agriculture and not me. For five years the United States has sold an average of 711,000,000 bushels of wheat, and every single time, and under every kind of a condition, when there was no tariff on wheat the differential in favor of the Canadian wheat was 5 cents or thereabouts, and with a tariff on wheat the differential in favor of the United States has been in the neighborhood of an average of 25 cents.

Now, I admit there have been months when that differential in favor of the United States has run down to as low as 3 or 4 cents, but, on the other hand, it has run as high as 35 cents. But the average differential in favor of the American wheat has been around 30 cents a bushel. Now, 30 cents a bushel on 711,000,000 bushels would amount to approximately $250,000,000; that is in the pockets of the American farmer because of the tariff, and it is not there for any other reason in the world, and if you take the tariff off of wheat that $250,000,000 will not be there.

Now, then, does the farmer pay a tariff on everything he buys? I will challenge any man who is arguing that the economic trouble to-day is due to the tariff to show me an item which the farmer buys, exclusive of clothes—and you can run the whole gamut of the things purchased by the farmer and there is not 10 cents worth of cost by reason of the tariff in a single item he buys.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. I ask unanimous consent to proceed for five minutes more.

Mr. SUMNERS of Texas. Reserving the right to object, will the gentleman permit me to ask him a question?

Mr. RUBEY. I object.

Mr. HAUGEN. Reserving the right to object, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

Mr. JONES. I would like to have five minutes. I have not used any time to-day.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. JONES. Mr. Chairman, reserving the right to object, I do not think all debate should be on one side of this subject. I would like to have five minutes.

Mr. HAUGEN. I have nothing to do with the time. The Chair will recognize whomever he pleases.

Mr. KINCHELOE. Mr. Chairman, the gentleman from Texas [Mr. JONES] is a member of the committee, and he ought to have five minutes.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa modifies his request and asks unanimous consent that debate on this section and all amendments thereto close in 10 minutes. Is there objection?

Mr. NEWTON of Minnesota. Mr. Chairman, reserving the right to object——

Mr. WOODRUFF. I object.

Mr. HAUGEN. Mr. Chairman, I move that debate on this section and all amendments thereto close in 10 minutes.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to amend that by making it 15 minutes.

The CHAIRMAN. The gentleman from Minnesota moves as an amendment that debate close in 15 minutes.

The question was taken and the Chair announced that the noes seemed to have it.

Mr. BEGG. A division, Mr. Chairman.

Mr. KINCHELOE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and sixteen Members present, a quorum.

The question is on the amendment offered by the gentleman from Minnesota to the motion of the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 22, noes 61.

So the amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from Iowa limiting debate to 10 minutes.

The motion was agreed to.

Mr. JONES. Mr. Chairman, I was surprised at some of the statements made by the gentleman who just left the floor, when he said there was hardly a single item on which the farmer was compelled to pay a tariff. There are several thousand such items in the bill and every time the farmer buys any of those items he, of course, must pay the prices produced by the tariff.

I just want to read a few of them under the present tariff bill and the tariff levies thereon:

Shingles, $1.50 a thousand; on baling wire, chains, saws, shovels, scythes, corn knives, wire rope, and the like, 30 per cent; on harness and hardware, 35 per cent; copper and brass, 48 per cent; aluminum kitchen utensils, 71 per cent; cutlery, 40 to 60 per cent; sewing needles, 40 to 60 per cent; window glass, 28 per cent; and a number of other items which I might read if I had the time.

Anybody who knows anything knows that you can not materially help the farmer much by levying a tariff. On the other hand, under the present law, he must pay a tariff and the prices produced by the tariff on practically everything he buys.

The troubles—or at least in considerable measure—of the farmer to-day were produced or contributed to by the Fordney-McCumber tariff measure, and the thin veneer is off. One of the fine things which I think will be produced by this bill, whether it is voted up or down, is to forever doom the theory of a high protective tariff. There was a time maybe in the early history of the Republic when there could be some argument for it, but the whole structure is going down, the foundation is crumbling, the walls are cracked, the pillars leaning, and the great dome is swaying to its fall. Public opinion has written across the whole superstructure of the high protective tariff scheme as embodied in the Fordney-McCumber Act, "Thou art weighed in the balance and found wanting."

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. JONES. I regret I have not the time.

I believe that will be true whether this bill is voted up or down, because if it is voted down the farmer will realize that he is getting the worst of the deal. If it is voted up, the absurdity of the whole thing is going to be brought to the attention of the farmer and everybody else within a limited period of time.

Understand, I do not blame the farmer or the farm organizations for taking the position that if there is any way in which they can be brought within the terms of any advantages to be gained by a tariff policy, so long as they have one saddled upon them, that that should be done; nor do I blame them for taking advantage of any chance they may have along that line; but I want to tell you that the idea of this great, big, rich country, the richest and most powerful in the world, believing and feeling that it is necessary to protect its industries with a high tariff, such as we are now laboring under, is absurd. The amount of revenue that we are forced to raise in this country is so great that a revenue tariff can be placed at the point where it will produce the most revenue. It can be made on a uniform basis, and that is the idea and the theory and the only one which will work out practically for everybody, and I simply want to predict that the day of the fattening of some of the industries of this country at the expense of all the people is rapidly passing. I believe the bringing out of this bill, if it can be justified at all, can be justified on the theory that it will bring before the American farmer and the American people generally the disadvantages to the producer and to all the people of such a policy, and that ultimately the whole scheme will be repealed. I regret I have not more time.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CROWTHER. Mr. Chairman, I am getting rather tired of hearing this constant charge from the Democratic side of the House, reiterated day after day, that the present condition of the farmer is due entirely to the Fordney-McCumber Tariff Act.

You know that the men on that side who talk against tariff are just naturally what I call calamity howlers. They get into that habit because during the period when their administration is in power they do not face anything ordinarily but calamity, and when the Republicans are in they howl just the same. As calamity howlers, they are at least consistent.

I want to say, contrary to the statements of the gentleman from Texas [Mr. JONES] and the gentleman from Virginia [Mr. MOORE] yesterday, who suggested that we should stay here and have a revision of the tariff, if it is necessary to have any revision of the tariff at the present time for the benefit of the people of the United States, we had better revise the rates upward and not downward. [Applause.]

The condition of distress existing in the cotton manufacturing industry to-day is due to the fact that the English manufacturers are bringing goods into this country to an extent that would almost warrant the functioning of the antidumping clause that we enacted in 1921. The remedy and consequent relief can be undertaken by the Treasury Department under existing law.

Now, there has been considerable discussion about things the farmer has to buy on which there is a tariff. My colleague from the city of New York [Mr. OLIVER] introduced a bill in the House authorizing the President under the flexible clause or section in the other tariff bill—the Fordney-McCumber bill—to remove the tariff rates or reduce them 50 per cent on farm essentials.

Mr. BLANTON. Mr. Chairman, I make the point of order that the distinguished gentleman from New York is out of order in that he is attempting to give his party's policies on tax revision upward and is not speaking to the amendment.

The CHAIRMAN. The point of order is overruled.

Mr. HASTINGS. Perhaps he is not giving expression of his party's policies. I wonder if he is.

Mr. BLANTON. Oh, yes; he is one of the spokesmen of the party.

Mr. CROWTHER. Paragraph 1504 of the tariff act, agricultural, contains plows, tooth or disk harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, threshing machines, cotton gins, machinery for use in the manufacture of sugar, wagons and carts, cream separators, and all other agricultural implements of any kind or description are on the free list. [Laughter and applause.] So the Democratic friend of the farmers, Mr. OLIVER, would reduce zero by 50 per cent.

One of my constituents wrote me about it, and after I told him these articles were on the free list he then laid the cost to ferromanganese, which enters into the manufacture of steel. Ferromanganese is used in the proportion of three-quarters of 1 per cent, or about 15 pounds to a ton. It would add 24.3 cents to a ton of steel, or 12 mills to the cost of an agricultural implement that weighs 100 pounds. [Laughter and applause.] Now, who are the gentlemen who are setting up this calamity howl? You know them. Enough crocodile tears have been shed by CORDELL HULL, COLLIER, OLDFIELD, GARNER, and others over the calamity that would overtake the country under the Republican tariff bill to float any battleship that was ever built in the United States. In spite of all the calamity that has been howled by the Democrats on that side they always vote against the tariff bill with their fingers crossed, praying that it will pass. [Laughter and applause.]

THE PROTECTIVE TARIFF

It is claimed that the protective tariff of 1922 has not benefited the farmers because it has not arrested the decline in the price of wheat and some other farm products. It is a misapprehension of the broad purpose of a protective tariff to claim that its sole mission is to advance prices. Primarily, neither a low nor a protective tariff have any effect on prices save as they may increase or decrease the supply of imported commodities in the domestic markets.

Prior to the World War—1910 to 1914—imports of wheat and wheat flour averaged about 2,000,000 bushels; in 1921 imports of foreign wheat and wheat flour were 57,398,000 bushels, in 1922 were 17,251,000 bushels, and in 1923 about 15,000,000 bushels. Imports of foreign corn from 1910 to 1912 averaged 50,000 bushels; in 1920 they were 10,283,000 bushels, in 1921 they were 5,792,000 bushels, and in 1923 they were only 120,000 bushels. Prior to 1913 the average importations of wool were 190,000,000 pounds; in 1921 they were 314,624,000 pounds, in 1922 they were 250,840,000 pounds, and in 1923 they were 240,000,000 pounds. Protection tends to reduce the competition in the domestic markets.

Import duties on farm products are not intended, primarily, to advance the prices of those products only in so far as imports affect the supply in the domestic markets.

HIGHEST PRICES UNDER LOW TARIFF

Other factors may and do affect the range of prices. If a protective or so-called high duty results in higher prices, then a low duty must result in lower prices; yet it is well known the highest prices within the last 15 years were between 1913 and 1919 under a low tariff. Recital of these facts demonstrates that a tariff, high or low, does not necessarily determine the range of prices. A decline in the price of wheat or any other farm produet on the protected list by no means proves that the tariff on those farm products is a failure.

What is the range of prices since 1900?

	1900	1910	1918	1920	1923
Wheat	$0.75	$0.96	$2.36	$2.31	$1.32
Corn	.40	.56	1.87	1.38	.98
Beef, barrel	6.35	7.65	19.50	17.25	22.00
Hogs	4.90	8.60	19.50	15.10	8.00
Eggs	.19	.34	.53	.72	.25

This list might be increased to scores of farm products, with the one result, namely, while average wholesale prices in 1923 and 1924 are lower than in 1915 to 1920, they are higher than prior to 1913; and the highest level was under a low tariff.

FARMERS DEMAND PROTECTION

The protective tariff of 1922 has nothing to do with the decline in prices since the war period, except in so far as it affects the domestic supply. On this basis it is perfectly obvious that a removal or lowering of the import duties on farm products would increase the volume of imports and tend to depress prices all the more. The complaint of the defenders and opponents of the McNary-Haugen bill that a protective tariff does not adequately help the American farmers is without foundation. Examination of the hearings before the Ways and Means Committee of the House and the Finance Committee of the Senate reveals a preponderance of expert opinion that import duties on farm products help the American farmers. The president of the New York State Farm Bureau Federation, speaking for 700,000 members in the State of New York, urged an import duty on all dairy products. A representative of the farmers of the western slope of Colorado urged a protective duty on farm products. A representative of the American Farm Bureau Federation said "these American farm products forced to meet competition in our home markets with products raised on cheaper land with cheaper labor and under a lower standard of living must have protection." The federation in assembly at Indianapolis December 8, 1920, requested Congress "to enact a tariff law at once which will give to the farmers that measure of protection necessary to equalize the difference in costs of production at home and abroad."

A representative of the National Grange asked for "tariff protection from the cheap products of foreign agriculture." The bean and rice growers asked for adequate protection and received it. Representatives of the American National Livestock Association asked for adequate protection on livestock and received it. They said "we ought to have a substantial tariff that will enable us to produce in this country with some degree of certainty without being made the subject of an influx of competing articles that will destroy the business."

Mr. S. H. Cowan, representing the American National Live Stock Association was asked directly—page 1692, House hearings—if he thought the tariff of 1913 had anything to do with the decline in the prices of hogs. He replied:

> I can not say that it had anything to do with this specific decline, but I do say that if there is not placed upon the meat products of this country a tariff that will be sufficient to insure the fact that we produce the meat we consume in this country the livestock producers must continually be in a bad condition.

Congress gave the livestock producers what was considered an adequate tariff.

LIVESTOCK ASSOCIATIONS

The Kansas State livestock commissioner asked for adequate protection for the industry. He said:

> I represent 12,000 stock raisers who are not blaming Congress, not blaming anybody; only the situation.

Colorado stock raisers asked for adequate protection. Representatives of the National Dairy Products Association urged a protective duty and received it. Creamery companies of Illinois, of Wisconsin, and other western States asked for protection and received it. Growers of onions, of potatoes, of peas, and beans asked for protection and received it. Growers of wheat in the Northwest asked for protection and received it. In the face of these requests, even demands, all granted, how can it be said that protection does not help the farmers? Because prices of some products have declined since 1914–1918 does not prove that import duties on farm products do not help the farmers.

It is urged that the McNary-Haugen bill will make up to the growers of wheat and other farm products the excess they are compelled to pay for what they buy by reason of the protective duties on manufactured articles. It is assumed, therefore, that protection is a one-sided affair, increasing the prices of the manufactured goods and failing to increase the prices of farm products. This assumption has no basis of fact.

AGRICULTURAL MACHINERY

Defenders and opponents of the McNary-Haugen bill state that it is astonishing to know that agricultural machinery costs now twice as many bushels of wheat as in 1913. In other words, the exchange value of agricultural machinery in wheat, they say, is now twice what it was in 1913.

Certainly the protective tariff has nothing to do with this, since there is no import duty on agricultural machinery. As a matter of fact, the protective tariff does not add anything to the prices of any of the ordinary articles the farmer buys. Here are some of the articles the farmer uses, all on the free list: Agricultural implements, binding twine, brick, cement, gloves (undressed), guano, boots and shoes, crude potash, seeds (some), stone and sand, logs and timber (unfinished), paving posts and pickets.

Why does it take so many more bushels of wheat to purchase any manufactured article now than in 1913? First, because the labor cost of manufactured articles has advanced enormously; second, because of high taxes in the several States, cities, and towns, entirely separate from the Federal taxes. The great bulk of the Federal direct taxes comes from income and profits; and the great majority of the people, especially the average farmers, pay little or no income or profits tax.

REPETITION OF 1896

The principle involved in this measure is precisely what was undertaken in 1896 by the promoters of the cause of free silver coinage at the ratio of 16 to 1. It was then believed that if the dollar was given 50 per cent additional fictitious value by an act of Congress, the price of wheat would be raised 50 per cent—from 50 cents to $1 per bushel.

The claim was made that wheat was 50 cents a bushel because of the gold standard, and that wheat would advance to $1 per bushel if the Government would enter upon a program of free coinage of silver at 16 to 1; that is, coin silver dollars freely at the ratio of 16 ounces of silver to 1 of gold. It was claimed that money was too dear; that the dollar was too scarce; that there was need of more money; and that the farmer had one kind of a dollar and the capitalists and Wall Street had another and better dollar. (See Coin's Financial School, by Harvey.)

Coin's Financial School, a little pamphlet written by William H. Harvey and circulated by the millions among the farmers of the West, captivated thousands and millions of farmers, particularly wheat growers, and confused the thought of many otherwise sound in their thinking and solid in their economic theories.

"Coin" Harvey undertook to demonstrate to the farmers that it took twice as many bushels of wheat to buy what they needed in 1896 as it took in 1873; that everything the farmers had to pay for was high and what they sold was low. It was precisely the same argument that is made now. The remedy suggested in 1896 was more money, more silver dollars coined freely by the Government at the ratio of 16 to 1. The silver in a silver dollar was worth then about 50 cents in gold. The effect would have been to cut the dollar in two and inject into the silver dollar 50 per cent value that did not exist. In these 50-cent silver dollars wheat would nominally have advanced to $1 a bushel; but it was forgotten that it would require twice as many 50-cent dollars as before to exchange for any article purchased. While the price of wheat would have doubled apparently, its exchange value for other commodities would not have altered.

The Republicans in 1896 pointed out the fallacy of this 16 to 1 idea, stuck to the single gold standard, and in four years the price of wheat advanced from a range of 53 cents and 94 cents in 1896 to a range of 61 cents and $1.22 per bushel. This demonstrates that the alleged cause of the low price of wheat, the gold standard and "dear money," had no foundation in fact.

RAISING PRICES BY LEGISLATION

The proposed McNary-Haugen bill is brought forward as a plan to artificially raise the price of wheat and other agricultural products. It is proposed that the Government "fix" a minimum price for wheat—$1.25 per bushel, for example—and buy up all the "exportable surplus" at that figure and store it, the Government furnishing the capital. The purpose of this plan is precisely the same as the purpose of the free silver coinage of silver at 16 to 1, namely, to artificially raise the price of wheat and other farm products.

This phase of the situation involves the old money problem that has disturbed so many and turned the heads of not a few otherwise straight-thinking men. In time of depression, when men in financial straits are catching at rhetorical straws, when the diminishing purchasing power and consuming power of the people is narrowing the demand for products and therefore abnormally reducing prices, the opportunity for crossroads financiers with infallible quack remedies for every financial misfortune are multiplied.

A FALSE CLAIM

It is not true that the tariff of 1922 has added billions of dollars to the prices of manufactured articles, to the injury of the farmer. The tariff on manufactured articles simply undertakes to give the American manufacturer a better opportunity to sell his own wares in the American market. He has a square deal by having the Government compel the foreign competitor to pay toll for the opportunity of getting into the American market. The American manufacturer has just as much of a "surplus" as the farmer at times and receives no more and no less benefit than the American farmer by reason of the protective tariff. The grower of wheat is exactly on the same broad basis as the manufacturer so far as protection is concerned. How can the tariff of 1922 be responsible for higher prices of manufactured goods and at the same time be responsible for the low prices of agricultural products?

It is just as impossible for the Federal Government to permanently increase the price of wheat by paying $1.25 for a bushel of wheat that has an exchange value of $1 as it is to increase the exchange value of a bushel of wheat by simply cutting down the standard dollar to 50 cents. The fallacy is the same in both instances. They violate all economic laws and all human experience.

While the situation of the wheat growers and some others in the West is unfortunate—yes, deplorable in some sections—it is due not to lack of legislation but to natural law—supply and demand. Prices were abnormal from 1914 to 1917. They declined more rapidly as to wheat and some other farm products than as to manufactured products for the reason that the supply of the former exceeded the demand, while the demand for the latter exceeded the supply until recently.

For the 10-month period ended April 30, 1914, we imported $1,572,000,000 worth of merchandise, or a little over half the value of the 1923-24 imports. Exports for the 1914 period totaled $2,046,000,000, or $1,600,000,000 less than 1923-24.

For the 10-month period ended April 30, 1922, before the Republican general tariff law became effective, and while the Democratic law was in force, we imported $2,095,000,000 worth of merchandise. This was $882,000,000 less than for the 10-month period ended April, 1924. Exports for the 1922 period totaled $3,128,000,000, or $542,000,000 less than in 1924.

It is quite apparent from these figures that there is nothing prohibitive in the Republican tariff law; that imports are coming in in volume which should be satisfactory to the less greedy of the importing fraternity; and exports are showing good returns.

The attempt of the Democrats to extract any political capital from such figures as these is futile, and it is noteworthy that any attacks they now make on the tariff law are couched in the most general terms, with no desire to face the statistical facts but a keen determination to avoid them.

The CHAIRMAN. All time has expired and the Clerk will read.

The Clerk read as follows:

SEC. 26. The board shall meet upon the call of the chairman——

Mr. ROMJUE. Mr. Chairman, I ask unanimous consent for one minute to ask the gentleman who has just left the floor a question.

The CHAIRMAN. All time has expired.

Mr. BEGG. Mr. Chairman, I want to offer an amendment to the section.

The CHAIRMAN. The gentleman is too late.

Mr. BEGG. Debate is ended but I want to offer an amendment.

The CHAIRMAN. Is there objection to returning to section 25?

Mr. BEGG. I do not think it is necessary to ask unanimous consent to return to the section.

Mr. BLANTON. Mr. Chairman, the gentleman was on his feet and the Clerk is a swift reader and he reads fast.

The CHAIRMAN. The Clerk will proceed with the reading of section 26.

Mr. BEGG. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Ohio makes the point of no quorum. The Chair will count. [After counting.] One hundred and nineteen Members present, a quorum, and the Clerk will read.

The Clerk completed the reading of section 26, as follows:

MEETINGS OF THE BOARD

SEC. 26. The board shall meet upon the call of the chairman and at least once every three months.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 7, line 24, strike out lines 24 and 25.

Mr. NEWTON of Minnesota. Mr. Chairman, I want to preface my remarks by saying that it is my purpose from time to time during the progress of this debate to consider on the merits each section as we come to it and to discuss it. I have had amendments to two preceding sections pertaining to the sections and have been unable to get time, but time has been granted where Members have not spoken on matters pertaining to the section. We have this provision, we have a board of directors in this corporation paid $10,000 a year. They are to have in charge the directing of the affairs of this great corporation, with a capital of $200,000,000. We pay them $10,000 a year. I do not think it is going to be possible to get the brains to run this corporation at a salary of $10,000 a year. If this becomes a law, I want to say to my friend from Illinois [Mr. MCKENZIE] that I want to see it work the best way it can work. I doubt whether men can be obtained with the requisite ability to run the corporation at a salary anywhere near $10,000 per year.

Further, I am wondering what is the reason for the language in section 26. I want to ask the gentleman from Iowa in the best of faith why it is provided that the board shall meet at least once every three months?

Mr. HAUGEN. They ought to meet at least once every three months.

Mr. MADDEN. They ought to meet twice every day, if they are to run a big corporation like that.

Mr. NEWTON of Minnesota. Does the gentleman think that this board of five members—directors of this organization—paid out of the Treasury of the United States, drawing $10,000 a year, charged with the duty of marketing in the world's market wheat, corn, hogs, and every one of these basic commodities, need to be instructed that they must meet every three months?

Mr. HAUGEN. They must at least have the authority, and should be directed to meet, and unless this is operating it is not necessary to meet.

Mr. NEWTON of Minnesota. They do not need any authority to meet other than the authority contained in the act, and just as the gentleman from Illinois [Mr. MADDEN] suggested, if they have a job as big as this job is they should meet every morning and every afternoon. I think the section might as well go out of the bill. I think it is a sort of invitation for them to meet only four times a year.

Mr. WOODRUFF. The gentleman makes the statement that these directors are paid out of the Treasury.

Mr. NEWTON of Minnesota. Certainly.

Mr. WOODRUFF. I wish the gentleman would point out something in the bill to that effect.

Mr. NEWTON of Minnesota. Why, it is a $200,000,000 corporation, and the money is to be supplied by the Treasury.

Mr. HAUGEN. Mr. Chairman, I move that debate upon this section and all amendments thereto do now close.

Mr. LOZIER. Mr. Chairman, I move an amendment to that, that debate close in five minutes.

Mr. HAUGEN. Mr. Chairman, I accept the amendment.

Mr. KINCHELOE. Mr. Chairman, I offer as a substitute for that that debate close in 10 minutes.

The CHAIRMAN. The gentleman from Kentucky offers as a substitute that debate upon the section and all amendments thereto close in 10 minutes. The question, first, is on the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on the substitute, that debate close in 10 minutes.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 22, noes 66.

Mr. KINCHELOE. Mr. Chairman, there does not seem to be a quorum here, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-one Members present, a quorum. The question now is on the motion of the gentleman from Iowa that debate upon the section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

QUALIFICATIONS OF DIRECTORS

SEC. 27. (a) Not more than two of the appointed directors shall be members of the same political party.

(b) Appointments to the office of director shall be made with due regard for the appointees' knowledge of and experience in the marketing of agricultural products.

(c) Directors, officers, and employees of the corporation shall take the oath of office provided in section 1757 of the Revised Statutes.

Mr. BURTNESS. Mr. Chairman, I move to strike out the last word. I rise particularly to make just a few observations with respect to the remarks made by the gentleman from New York [Mr. MILLS] a few minutes ago. He called attention to the fact that the tendency now is for agricultural products on the whole to approach in the price index the same point as nonagricultural products. If you look at the chart found on page 9457 of the RECORD, you will find that that is partially true; but how long has it taken to get to the point even of the slightest sort of approach? The situation has continued now for almost four years, and yet the difference between the agricultural products and the nonagricultural products in items of purchasing power of one as against the purchasing power of the other is still a difference of 60 points. Four years ago there was a difference of 80 points. That means that if the convergence is carried along at the same rate, it will take 12 years more for these lines to meet, or until 1936.

But, as the gentleman so well pointed out, that included all agricultural products, including those like cotton, wool, tobacco, and others where the price is above the ratio price, as well as those whose prices are below the ratio price. The gentleman from New York admitted that obviously the price of wheat, hogs, and cattle has been totally inadequate during these past years. What does this bill do? It does not touch the price of all agricultural commodities, but is intended to reach only such commodities as are now not in the basement but which are in the subbasement of price, such commodities as cattle, hogs, and wheat. The gentleman carried the inference at least that if you increase the prices of these commodities you will raise the whole commodity index by at least 10 points. What are the facts? I have ascertained how much wheat and cattle and hogs are weighted in the figures used by the Bureau of Labor Statistics, and I find that wheat is rated at 3.26, cattle at 3.27, and hogs at 4.07, or a total of 10.6; that is, about 10 per cent of all commodities used by the Bureau of Labor Statistics. Assuming that the prices on hogs, wheat, and cattle should increase even 50 per cent, you can not possibly get a situation where the all-commodity index would be increased more than about 5 points.

In other words, there is a possibility that the present index to-day of 148 might be increased to 153, but that is all that it could be; and is there anyone here who would say that that is not fair when hogs are now at only 62 as compared with normal times, cattle at 68, and wheat at 71? As I said, the commodities covered are not all agricultural commodities in general but only those that are not now getting the price level of agricultural commodities in general but only those where prices are such that they hold a position in what I call the subbasement. Surely there ought to be no objection to that sort of a raise when you find that wages in general as compared with normal in terms of purchasing power are to-day 103 and union wages 134. Why, then, should this start a vicious circle which would raise wages and all other commodities? It seems to me that it does not come with very good grace on the part of anyone—and I am not now referring to the gentleman from New York particularly—for gentlemen to make the argument that their people can not afford to pay increased prices for their bread and meat. The whole question is this in regard to such people: Are they going to insist that the wheat farmer and the raiser of hogs and the raiser of cattle must for all time continue to produce these food commodities for less than the cost of production? That can not continue, and the longer it continues just so much worse will be the effect upon all parts of the country.

The gentleman from New York also argued that the passage would mean cheaper foodstuff to foreigners in competition with American industry. Of course, it would not affect the world's market in any possible way unless possibly in just the opposite direction. It is quite within the range of possibility that the corporation in control of the exportable surplus of a crop like wheat might have a strong effect upon the foreign market; that is, be in a position to drive a much better bargain with the foreigner than scattered private persons can do. In any event there is no possibility under this bill of the foreigner getting these foodstuffs for a lower price than otherwise.

Permit me also to make a prophecy that most of us will be surprised at the ease with which this law can be put into effect if enacted. Oh, they will not need men to drive hogs from one packing plant or from one town to another. American business will be as ready to buy for resale and for profit as now. On the exported products the corporation must, of course, stand the loss. They may incur it on their own purchase and resale or they may arrange with exporters to pay the difference between the world's market and the ratio price without handling the product at all.

In fact, it may well be that all the corporation would have to do would be to stand ready to buy what is actually exported to foreign countries. In the case of beef this would amount to practically nothing; in the case of pork, about 10 per cent. In the case of wheat and flour, is it not possible that the matter could be handled by the corporation simply standing ready to pay an export bounty on all exports; that is, a bounty equal to the difference between the world price and the ratio price? These are all possibilities which are not at all remote.

The gentleman from New York feared that business would slow up if the bill is enacted. Let me assure him that it will slow up if not enacted. The business interests of the West already realize this to be the fact. Farm-machinery concerns can no longer sell machinery due to the depressed condition of the farmer. We see Mr. Peek, head of the Moline Plow Co., devoting time, energy, and money on behalf of this measure. We see the head of the Great Northern Railway Co., realizing the importance of rehabilitating agriculture in the corn and wheat and stock belts, supporting this bill. I believe that if the gentleman from New York and others opposing this bill knew the situation in the West as well as these business men do, they would be supporting instead of opposing this bill.

In the final analysis our interests are nearly identical. We must find markets for our western crops in the industrial centers of the country. You in turn must find markets for your manufactured products on the farms of the Nation. Pass this bill and we can afford to buy a fair share of your products to the benefit of the industrial and transportation interests of the Nation as well as for our benefit.

Many object that we have an exportable surplus. Since when did it become a crime to raise more than we can eat at home? We have always been proud of a balance of trade in our favor. It has helped in years past to build up our great Nation. These are not new surpluses. They bother us, it is true, but that is not the fault of the farmer. It is rather due to European conditions. This is emergency legislation to tide us over till European conditions can become more stable. We will all then want a surplus. If we ever get to the point where we raise less foodstuffs than we consume, it will be consuming centers and not the farming sections which will suffer the most. There is no serious danger of encouraging overproduction when the ratio price is barely sufficient to cover the cost of production.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto do now close.

Mr. LOZIER. And I move an amendment that the debate close in five minutes.

The CHAIRMAN. This is a unanimous-consent request.

Mr. LOZIER. Then I object to it.

Mr. HAUGEN. Then I will make it five minutes. The gentleman has been on his feet for about a day and is entitled to time, I think.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate upon this section and all amendments thereto close in five minutes.

Mr. KINCHELOE. Mr. Chairman, there are several gentlemen here who desire time to speak on this bill.

Mr. HAUGEN. Very well; if you want to stay here until 12 o'clock to-night or 3 o'clock to-morrow morning, that is up to the House.

Mr. KINCHELOE. I am just calling the attention of the chairman to the fact——

Mr. HAUGEN. Oh, the gentleman has taken four months at this, and still is not satisfied.

Mr. KINCHELOE. Mr. Chairman, reserving the right to object, I say to the chairman, to show how fair he is about this matter, that there are three gentlemen who are for the bill, who have been wanting to speak all day.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

Mr. KINCHELOE. Mr. Chairman, I move as an amendment that debate close in 10 minutes.

The question was taken; and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 21, noes 58.

Mr. KINCHELOE. I ask for tellers.

The CHAIRMAN. Ten Members have arisen, not a sufficient number, and tellers are refused. The question is on the motion of the gentleman from Iowa, to close debate in five minutes.

The question was taken, and the motion was agreed to.

Mr. LOZIER. Mr. Chairman [applause] and gentlemen of the House, in the haste with which this bill is now being considered the Members who favor its passage are finding difficulty in securing recognition, as most of the time is being taken by those opposed to the bill. I recognize that it is important to get a vote to-day, if possible, and therefore I have not been inclined to consume much time available for general debate; but I do desire now to make a few observations which I hope may be helpful.

I have learned that the way to get recognition in this House quickly and often is to offer amendments. And it seems that it makes no difference how meaningless and senseless an amendment may be, the Member who proposes it, under the rules of the House, is entitled to recognition and to speak in support of his motion. So we are to-day being deluged with a flood of amendments, and while many of these amendments are not offered in good faith or for the purpose of perfecting the bill, they enable the enemies of this measure to delay a final vote and may possibly defeat the bill by talking it to death. Strange as it may appear, practically every amendment has been offered by enemies of the bill, who will vote against the bill whether it be amended or not. The Members who are offering these amendments and consuming time in labored debate remind me of a cuttlefish, a certain rapacious, carnivorous mollusk, which in order to escape capture muddies the waters by emitting an inky fluid, under cover of which Mr. Cuttlefish escapes. I am convinced that some of these gentlemen prefer to confuse rather than clarify the situation.

I represent a great agricultural district. I have a Democratic and Republican constituency. I earnestly desire to vote for some measure that will afford the farmers of my district substantial relief from existing economic ills. Since I entered this body I have on numerous occasions addressed the House, but on every occasion I have avoided partisanship and have at all times discussed policies and principles, particularly relating to agricultural conditions. I have declined to inject partisan politics into my speeches, because I do not consider that farm relief legislation is a political or partisan question. I believe that the Members of this House, Democrats and Republicans, should unite in passing the pending bill, or some other honest-to-goodness farm-relief measure, because the interest and welfare not only of the agricultural classes but of the entire Nation is involved in the rehabilitation of American agriculture.

May I in the few minutes at my command answer briefly some of the objections to the pending measure? It is urged that in this national emergency instead of trying to increase the price of farm products we should legislate to bring down all other commodities to a level with the prices of farm products. Manifestly this can not be done, and if it could be accomplished it would result in practically doubling the purchasing power of the money of the Nation. Those whose wealth consists of money would be able to purchase twice the commodities with a dollar than could be purchased with that dollar if the price of farm commodities is advanced to a parity with the price of other commodities at the present time.

This plan would very largely increase the fortunes of the capitalists. The proposal to bring all other commodities down to the level of farm products comes, no doubt, from Wall Street or from the capitalistic class. In bringing about this result you will double the value of money, and materially reduce the purchasing power of farm products and other commodities, and you thereby automatically increase the wealth of those whose possessions consist of money, stocks, bonds, or liquid securities. Under such a plan the income from the farms would be materially reduced, and, of course, the value of all farm lands, livestock, and farm commodities would be thereafter maintained at a very low level. This means nation-wide agricultural distress and the destruction of agriculture as a profitable vocation.

One trouble to-day is an unfair distribution of the wealth of our Nation. According to Secretary Hoover, the wealth of the United States on December 31, 1922, amounted to $320,803,862,000 as compared with $186,299,664,000 in 1912; but says Secretary Hoover, "It should be borne in mind that the increases in money value are to a large extent due to the rise in prices which has taken place in recent years, and so far as that is the case they do not represent corresponding increases in the quantity of wealth."

In other words, when we consider the present value of the dollar, it is questionable whether there has been any increase in the actual wealth of this Nation in the last two years. The present national wealth, as computed by the Department of Commerce, when reduced to terms of prices of 1913, is approximately $210,000,000,000. In other words, the computation by Secretary Hoover refers to "bookkeeping values" or an increase in values of properties rather than the production of new or additional wealth. In reality, there has been a severe deflation in our national wealth since 1921.

According to the Department of Commerce, our national wealth in 1916 was $228,000,000,000. In 1920 O. P. Austin, a financial expert connected with the National City Bank of New York, in an article in the Journal of Commerce, estimated our national wealth at $350,000,000,000. The Government loan organization in 1921 estimated our national wealth at $300,000,000,000. In September, 1921, the committee on statistics and standards of the United States Chamber of Commerce estimated our national wealth at $288,464,000,000. Reduced to its last analysis, I am quite confident that on a fair basis our national wealth is now many billions less than it was in 1920 and 1921. If farm products are kept at the present prices and other commodities brought down to the same level, there will be another tremendous shrinkage in the wealth of the agricultural classes and it will require the rehabilitation of agriculture to maintain the economic life of the Nation on a healthy basis.

But you say this bill is paternalistic. It is easy to make this charge, and, perchance, some who make it never read a work on political economy and have but little knowledge of what is and what is not paternalistic legislation. Many of those who are opposing this bill because it is paternalistic, as they charge, have been voting, year in and out, for legislation that is much more paternalistic than the pending bill. The agricultural appropriation bill recently passed by this House contains scores of provisions appropriating money for purposes which, in truth and fact, are purely paternalistic. Millions of dollars for roads; millions of dollars for experimental stations, weather bureaus, extension service, animal industry, plant industry; millions of dollars for the bureaus of chemistry, soils, entomology, biological survey; for the enforcement of the insecticide act, watershed fire protection, foot-and-mouth disease, pink bollworm, date scale, citrus canker, white-pine blister, diseases of cotton, broomcorn cultural methods, diseases of sugar beets, Argentine ant, cigarette beetle, Mexican bean beetle, and gypsy and brown-tail moths. In other words, every Congress for more than a generation has been appropriating millions of dollars annually for purposes that are paternalistic in the fullest sense of that term.

A protective tariff is paternalistic legislation. The Adamson law is paternalistic. The transportation act is paternalistic, and many other legislative policies of the Nation. After the commercial and manufacturing classes have swallowed scores of paternalistic camels, they now gag at a little paternalistic agricultural gnat. Paternalism is a good thing, they say, for the manufacturer, the capitalist, the carrier, and other special-privilege classes, but they say the country will go to ruin if the agricultural classes are given the benefit of the little paternalistic legislation represented by the pending bill.

But the enemies of this bill say it is not workable. Every great legislative reform has been opposed by the same interests and was condemned as unworkable. They said the same thing when the Federal Post Office system was established. They said the Adamson law would not work; that the Interstate Commerce Commission would not work; that the Federal reserve system would not function; that the antipooling laws, the Sherman antitrust law, and the transportation act would

not work. This is the stock objection offered by the railroads, the protected manufacturers, Wall Street, the Steel Trust, and big business to every legislative act having for its object the equalization of the burdens and benefits of Government among the classes and masses.

But the opponents of this bill, after saying that it will not work, turn around and say that it will raise the price of farm commodities to such an extent that the cost of living will be increased one billion and a half dollars annually. If that be true, will not the farmer get the benefit of that increase? Of course, the purpose and object of this bill is to increase the price of farm commodities. Suppose the consumers of the Nation, as a result of this legislation, should pay next year one and one-half billion dollars more for farm commodities than in the past year, the farmers would only be getting back about one-twentieth of their losses since 1921, resulting from the artificial, precipitate, and unjust deflation in values.

In the past three years very little net wealth has been created. During that period the business has been largely the manipulation or transfer of wealth from the masses to the classes. While in the last three years there has been very little new wealth created, there has been an abnormal manipulation of wealth for the benefit of the special-privilege classes. In other words, the wealth for three years has been steadily flowing from the farms to the cities; from the masses to the classes; from the West to the East; from the rural communities to the great centers of wealth and population. The New England and Middle Atlantic States and the great cities have increased their wealth by leaps and bounds, but this increase has been at the expense of the agricultural classes and at the expense of the great productive West. While the capitalistic and specially favored classes have very substantially increased their wealth, it is not new wealth created by them, but wealth transferred to their coffers from the western agricultural classes, largely because of unjust economic conditions, which are the manifest result of legislative favoritism.

The blood in the human body in order to perform its functions should circulate freely and be distributed over all parts of the body. If the blood be congested in the brain, apoplexy results. If the blood is congested in the lungs we say the patient has pneumonia. If its virility be impaired, anemia follows. Now what blood is to the human body, wealth is to the business and economic life of the nation. If wealth be withdrawn from certain sections of the country, and congested in certain other sections, financial apoplexy will result; and if wealth be not fairly and justly apportioned among the people, but be concentrated in a few favored classes, nation-wide financial anemia is inevitable. The purpose of the pending bill is not to wrong the other classes but to undo the wrong that agriculture has suffered.

But some one says that the McNary-Haugen bill is a price-fixing measure. I think it is a price-adjusting measure. But suppose we concede that it is a price-fixing measure; should that frighten these Members who are opposing the bill? Most of the opposition to this bill comes from Representatives of constituencies that have enjoyed, and are now enjoying, the blessings and benefits of price-fixing legislation. The Representatives from the manufacturing districts and from the great commercial districts are viciously opposing this bill. The protective tariff system is a price-fixing system, because artificial conditions are created by tariff laws which enabled the manufacturer to charge higher prices for his commodities than could be charged without a protective tariff. The transportation act and the law creating the Interstate Commerce Commision are price fixing laws, designed to fix and regulate the price of freight and passenger service. Telephone and telegraph rates are fixed by bodies created by law, and those laws are price fixing laws. The Federal reserve system is a price-fixing system as to interest rates and credit. The Federal land bank and joint-stock land bank laws are price fixing laws, and the rate of interest is therein fixed. Interest and credit, freight service, passenger service, telephone and telegraph rates, and wages are all commodities the price of which is regulated and definitely fixed by these Federal laws. The Adamson law is a price fixing law as to wages; and many other laws, the validity and wisdom of which have not been challenged, are in the last analysis price fixing laws.

The American people are now living under Federal laws which are price fixing laws as to freight and passenger service, telephone and telegraph service, interest rates and credit, and wages, and price fixing as to many manufactured commodities, in view of which I do not believe this Nation would go to ruin if this bill should be enacted and if it is a price fixing bill.

According to the argument of the opponents of this bill it is all right for the capitalist, the manufacturer, the railroad, and other special-privilege classes to get the benefit of price-fixing legislation, but they hold up their hands in holy horror when the farmers of America ask for this little Federal aid in stabilizing prices of farm commodities.

Frankly, I am opposed in principle to all price-fixing or special-privilege legislation, but as long as the manufacturers, the railroads, and other special-privilege classes get the benefit of price-fixing legislation I see no reason why the American farmer should not be shown similar consideration, especially in view of the national emergency that now confronts our farming classes, for which the Government and the special-privilege classes are largely responsible.

Time will not permit me to discuss this bill in detail. I hope its enemies will not talk it to death. As for me, I will vote for the measure and I will vote against adjournment of this Congress until this or some other worth-while legislation for the benefit of the farmers be enacted or until it is evident such legislation can not be passed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOZIER. I ask unanimous consent that I may revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

MANAGEMENT

SEC. 28. The board shall direct the exercise of all the powers of the corporation.

Mr. HOWARD of Nebraska. Mr. Chairman, I move to strike out one or two last words. [Applause.] Mr. Chairman and gentlemen, if anybody has been in doubt about how Nebraska is going to vote on this bill, I will instantly remove all doubt. But first, before getting to that, Mr. Chairman and gentlemen, I want to protest against the inhuman treatment that has been accorded certain of my colleagues here to-day. This morning one gentleman, the distinguished gentleman from Kansas [Mr. TINCHER], stood here and demanded that his own floor leader tell him the mind of the President of the United States. Gentlemen, it can not be done. The mind of the President of the United States is a "ghehe." I can prove it by citing you to his three separate messages on the subject of agricultural legislation, and I challenge any man on either side of the House to rise now, after the manner of the challenge of the gentleman from Kansas, and tell me the mind of the President of the United States with reference to agricultural legislation, basing his calculation upon the three messages to the Congress on that subject. There are no risers. [Laughter.] The President has a mind, all right, but it is desperately uncertain. If you need any further proof on that score, please read his words when he so harshly and cruelly vetoed certain pension bills and when he vetoed the adjusted compensation bill for the ex-service boys. You remember how he even challenged the patriotism of those ex-service men who asked for an adjustment of their compensation, and yet only yesterday he went over here to Arlington and heaped the most beautiful eulogy on all of those whom so lately he had decried.

Gentlemen, there is no such thing as a presidential mind that is known to mortals, and I protest that it is unkind on the part of anybody to stand here and ask any gentleman on the administration side to perform the impossible.

Now, a good deal has been said here with reference to this legislation; certain men have said that they would vote for this legislation if they knew that the President would approve it. Again I take this opportunity to say to all my colleagues on either side that that is not good Democratic doctrine. I am not preaching any other kind. The Democratic doctrine is that it is the business of a legislative body to legislate, and let the head of a government in the guise of a President do the executing.

Only yesterday the most brilliant man that I believe we have among us here occupied this place and practically said he was afraid the President would veto the bill. I would like to have Judge MOORE tell me: Suppose we were discussing now a bill to reduce the tariff. Would Judge MOORE fail to vote for that bill lest the President might not approve it? I think not.

You Republicans over here—may I take that back? I mean you administration folks—if you administration folks had a force bill here, wanting to put soldiers of the United States at the polling places in all the Southern States, and you were afraid the President would veto it, do you think you would stop one minute before voting for it simply because it had been said that the President would veto it?

A MEMBER. Will you vote for it—the McNary-Haugen bill?

Mr. HOWARD of Nebraska. I hope to vote for it, but I doubt if I will have the chance to vote for it. I think the ad-

ministration leaders will kill it by parliamentary tactics before it can reach a vote.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read.

The Clerk read as follows:

CAPITAL STOCK

SEC. 31. (a) The capital stock of the corporation shall be $200,000,000, and all of such amount is hereby subscribed by the United States. The amount of such subscription shall be subject to call by the corporation (in amounts of $5,000,000 or multiples thereof and after 30 days' notice of each call to the Secretary of the Treasury). Payment of an amount so called shall be made by the Secretary of the Treasury, and stock in such amount, without voting privileges, shall be issued by the corporation to the United States and delivered to the Secretary of the Treasury. Receipts for payments of such amounts by the United States for such stock shall be issued by the corporation and delivered to the Secretary of the Treasury and shall be evidence of the stock ownership of the United States.

(b) There is hereby authorized to be appropriated the sum of $200,000,000 or so much thereof as may be necessary for the purpose of purchasing stock of the corporation in accordance with the provisions of subdivision (a).

Mr. BRAND of Ohio, Mr. JONES, and Mr. HARRISON rose.

Mr. JONES. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair is advised that the gentleman from Ohio [Mr. BRAND] has an amendment pending and has had it pending for some time. The gentleman from Ohio will be recognized.

Mr. BRAND of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. BRAND of Ohio: Page 9, after line 7, insert the following new subdivision:

"(c) The corporation shall pay to the United States interest at the rate of 4 per cent per annum upon the amounts so paid for the stock of the corporation. The corporation shall receive interest at the rate of 4 per cent per annum upon its funds temporarily deposited in the Treasury of the United States."

Mr. BRAND of Ohio. Mr. Chairman and gentlemen, this is an amendment which is absolutely sincere. It is offered with the intention of strengthening the measure, and it is offered by one who is absolutely in favor of the measure. Perhaps you gentlemen did not catch it, but it is for the purpose of having the corporation pay 4 per cent interest on whatever money it uses from the Government out of the Treasury. I have submitted this proposition to the man whom Secretary Wallace asked to write this bill, and I asked him for his opinion as to whether we should pay 4 per cent interest on the money supplied by the Government. And he stated to me that in his opinion that was an absolutely sound principle. I have talked to the chairman of the Committee on Agriculture, and I have talked to other members of the committee, and I have heard no objection to this policy except that they are not disposed to accept any amendment of any kind, and that is their only possible objection to this one.

Now, I do not believe the farmers of the country want any bounty. I believe all they want is a square deal, and I believe they want their products up on a level with the products of their city fellow citizens.

Mr. WILLIAMSON. Will the gentleman permit an interruption?

Mr. BRAND of Ohio. Yes.

Mr. WILLIAMSON. Does the gentleman think it would be quite fair to insist that this corporation should pay 4½ per cent interest on this money when the Government made $50,000,000 on wheat during the war?

Mr. BRAND of Ohio. This is 4 per cent interest, and I am willing to throw aside all the past and begin with a fair deal for the farmers, and that is what we are going to get by this bill. [Applause.]

Now, time is the essence of things here to-day, and I do not think this needs any discussion.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

Mr. JONES. Mr. Chairman, I am a member of this committee and I have been trying to get recognition for the last 20 or 30 minutes. I do not think it is in very good grace for the chairman to keep members of the committee from talking.

Mr. BLANTON. Mr. Chairman, I move to amend the motion of the gentleman from Iowa and make the time 10 minutes.

The CHAIRMAN. The gentleman from Texas moves as an amendment that debate close in 10 minutes.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question is now on the motion as amended.

The question was taken, and the motion as amended was agreed to.

The CHAIRMAN. The gentleman from Virginia [Mr. HARRISON] is recognized.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause]. The Chair hears none.

Mr. HARRISON. Mr. Chairman, I think it is conceded on every side that the agricultural interests in every section of the Union are operating at a loss. President Coolidge has given consideration to the situation in his annual message and the best solution he could find was advice to the farmer to limit the acreage of cultivation. In other words, that the farmer must cease to operate in order to make a profitable livelihood. On the other hand, we have this proposition before the House which, I feel certain by its own advocates, is admitted to be economically unsound and only sought to be justified because of existing emergency, and to counteract the effects of legislation which has been enacted prejudicial to agricultural interests. My own theory is that the three things of which the farmer has had occasion to complain most are:

First. Class legislation which has enhanced the price of all his necessary supplies and which has limited the area of his markets. It would seem the most logical thing to do to remove the distress of the farmer is to repeal these unfair laws instead of making them a justification for placing further burdens upon industry with the prospect, if not the foregone conclusion, of producing confusion in agricultural industry and ultimate loss. An analysis shows costly machinery and impracticability of operation. This contemplates the placing of agricultural interests in the hands of a commission to virtually operate a business worth billions of dollars and followed by twenty millions of our population.

The individual does not have his business placed in the hands of a commission until his imbecility is established. Surely there can come nothing practical in the propostion to place a great industry in the hands of such a commission as this bill proposes.

Second. There can be no question in my mind that the farmer needs financial credit at certain periods in order to profitably buy and sell. One of the greatest injuries inflicted was deflation at a time when the farmers' necessity for credit was at its peak, and which dealt a serious blow to the farmers' capacity to face the emergency. This has been greatly remedied, however, at the present time by legislation which extends rural credits to the agricultural classes. The farm-loan banks and the fairer administration of the Federal bank reserve system has furnished to the farmer a source of credit which approaches probably his present needs so far as the same is coupled with financial safety.

Third. Another burden that the farmer has been required to bear has been the excessive transportation charges on his outbound products and inbound supplies. Freight rates on the railroads and all other methods of transportation have become excessively burdensome and in many instances and in various localities are an absolute denial to the farmer of his market. So far as I can see, nothing has been done to alleviate this situation. On the contrary, the purpose for which I address myself to the House at present is to call attention to the recent action of the Interstate Commerce Commission which imposes a heavy increase on the transportation charges of a necessary agricultural supply and which is a large industry in the district I represent. I refer to the increase of rates on agricultural lime. While we are discussing here this bill which has for its object the relief of agricultural depression, the Interstate Commerce Commission has undertaken to lay an exceedingly heavy burden upon lime transportation, which is a necessity in southern and eastern territory, for the productiveness of the soil.

Heretofore lime has been classed either as agricultural lime or lime for other purposes. Agricultural lime had a reduced rate; as an instance, from Baltimore to Pittsburgh the rate was $83 a car. Under the ruling of the Interstate Commerce Commission, which has just been put in operation, the transportation charges from Baltimore to Pittsburgh have been raised to $111 a car, making an increase of 42 per cent in the charges. The injustice of such a rate charged is shown in comparison with the charges made on carloads for other articles of commerce. A carload of lime is worth, in round numbers, about $300.

The charge per carload is, as I have said, under the present ruling $111, a very large per cent of the value of the cargo. I have before me a table from the Agricultural Department, and this table shows that on a commodity of commerce valued at $13,000 the car charge differs but little from the car charge on lime valued at $300. It is gross injustice of this character against which the farmer utters his protest. It appears that the charges authorized and directed by the Interstate Commerce Commission on lime is excessive. In the district I have the honor to represent there are a great many of these lime plants. It is a peculiar burden on that district as well as on all the southern and eastern territory. This increased rate is made to apply immediately to the following States: Virginia, West Virginia, Maryland, Pennsylvania, New York, Vermont, and perhaps some other States. All States will be eventually affected and its necessary tendenecy is to embrace wherever lime is a necessary agricultural lime. The necessity of lime is given in a great many bulletins issued by the Agricultural Department.

A very feeble attempt at legislation along the line of protection to agricultural shipments is proposed in Senate Joint Resolution 105, and it was hoped that by a proper amendment lime and other agricultural fertilizers could be brought within its influence. This Senate joint resolution has been tacked upon a House bill known as the Hoch bill, but it still does not include the lime product or the necessary agricultural fertilizers. Even this legislation has a very poor prospect of consideration. So far as I know, the Rules Committee has taken no step to bring it before this House, and if it should be brought before this House and proper amendments included, it is probable that it will not be possible to pass it through the Senate before the day of adjournment. I can not help but think that the agricultural interests are receiving poor consideration when the only proposition of relief is this one of very doubtful constitutionality, wholly unjustified except upon the ground of prejudicial legislation against the farmer, which in all probability will be found impracticable in operation and ultimately bring loss to the agricultural interests.

Congress should remain in session until real relief is afforded the agricultural interests by wise and sound legislation, which is economical and practical in operation.

Mr. JONES. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. JONES. Mr. Chairman, I just want to say a word with reference to some of the statements made by my friend and colleague from New York a few moments ago.

I well recall that when the general tariff measure was up the gentleman predicted that after we passed the Fordney-McCumber tariff measure this country would blossom like the Rose of Sharon, and that the people would flourish like a green bay tree. By his recent speech he now in effect admits that in so far as the farmer is concerned it not only was a rank failure but that the farmer's condition has been made infinitely worse. He seems to think he has made a complete answer to all the farmers' problems in so far as the tariff is concerned when he states that certain farm implements are on the free list; just a part of them. That seems to be the attitude of a lot of those who do not live in agricultural sections, who think that all the farmer needs is farm implements. I suppose the gentleman thinks that the farmer ought to wrap his free hides around him and get on his free cultivator and that is all he should need.

As a matter of fact, I read you in my former speech a number of articles that the farmer buys and that he has special need for. Here is a copy of the tariff bill which has several thousand different items and in them are included items like galvanized wire, which he sometimes uses, forgings of iron or steel, axles, bolts, cut nails, horseshoe nails, rivets, plated wire, table, household, and kitchen furniture, especially of the aluminium variety. I presume the gentleman from New York thinks that because the farmer gets certain implements free of duty it is all right for him to pay a 70 per cent tariff on aluminium if he buys it, and also on knives and cutlery and all the other and many different articles which he needs and must have.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. JONES. I regret I have not the time. I suppose he does not think he ought to use any clothes and ought to be willing to have the price of even live farm implements raised by a duty on the component parts thereof. He seems to think that because he gets some of his farm implements free he ought to be perfectly willing to pay a tariff of from 10 per cent up to several hundred per cent on the various other articles he uses. But I want to call attention to certain provisions even in the free list that he mentions. After it sets out the different farm implements that are placed on the free list it has some reservations. I understand, as a matter of fact, that we import very few farm implements as such, but we do import the component parts of those farm implements, fabricated iron, steel, and so forth; but, listen, it names certain of those implements and says:

All other agricultural implements of any kind or description not specifically provided for, whether in whole or in parts—

And—

whether specifically provided for—

And then it winds up the whole provision with reference to farm machinery being on the free list with this provision:

Provided, That no article specified by name in Title I shall be free of duty under this paragraph.

Here is the joker. Title I contains all the thousands of items covered by the tariff. In other words, every component part, even, of farm machinery, everything that is listed in Title I, regardless of whether it is named in the free list, is still on the dutiable list, and the different articles I read to you a while ago—chains, saws, shovels, scythes, corn knives, wire rope, and the like—take a 30 per cent duty, and copper and brass a 48 per cent duty; aluminum utensils, 71 per cent. There are hundreds of other everyday articles which I might read.

I simply state this in answer to what the gentleman said about the tariff not affecting the farmer. As a matter of fact, it is practically impossible to render the farmer any service by a straight tariff, because the principal articles which he produces he produces in surplus quantities. He exports rather than imports, whereas a great many of these articles that he buys, the prices of which have been very materially increased, he must buy in a protected market. Therefore, under a straight tariff measure, he must buy in a protected market and sell in a free market. Therefore I say I do not blame some of the farm organizations in their desperation for wanting any measure that they even think may tend to give them some of the advantages.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the amendment offered by the gentleman from Ohio [Mr. BRAND].

The amendment was rejected.

The Clerk read as follows:

ISSUANCE OF SECURITIES

SEC. 32. The corporation may borrow money and issue its notes, bonds, or other evidences of indebtedness therefor, except that the corporation shall not have power to issue or obligate itself in an amount of notes, bonds, or other evidences of indebtedness outstanding at any one time in excess of five times the amount of its authorized capital stock. The rate of interest, the maturity, and the other terms of the notes, bonds, or other evidences of indebtedness, and the security therefor, may be determined by the corporation.

Mr. KINCHELOE and Mr. MACLAFFERTY rose.

The CHAIRMAN. The gentleman from Kentucky [Mr. KINCHELOE], a member of the committee, is recognized.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the House, I want to call your attention to this section as another evidence of how sound this bill is, and especially from a financial standpoint of operation.

In buying the export surplus of the products mentioned in this bill, in the preceding section you appropriate right out of the Treasury $200,000,000, and that is the only capital this corporation can have with which to buy anywhere from $850,000,000 to $1,000,000,000 worth annually of exportable surplus of the commodities mentioned in this bill.

Never lose sight of the fact that this corporation has got to do the buying of this exportable surplus, because no other concern is going to buy it at the ratio price and sell it at the world's market price and take the loss, unless this corporation

guarantees such individual or corporation against loss. So you have $200,000,000 as the only capital that the corporation has or ever will have, because this corporation is not a profit-making corporation but is a losing corporation, and in order for the proponents of this bill to hide their faces on the economic soundness of this bill, they put in this wonderful section 32 giving this corporation the right to issue notes and bonds of five times the amount of capital, $200,000,000, to wit, $1,000,000,000; but the two subsequent sections show you that the United States assumes no obligation in the payment of them. The other sections show that these notes and bonds and the income derived from them are not exempt from Federal and State taxes. So can not you imagine this corporation with only a capital of $200,000,000 in a losing business will interest the bankers and financiers, including the gentleman from New York [Mr. MILLS], to go out and sell a billion dollars' worth of bonds and notes with only $200,000,000 of capital subject to taxes, both State and Federal, when at any time the $200,000,000 may be invested in wheat bought at the ratio price, and before it can be sold in the world's market have the price go down and wipe out the whole $200,000,000?

Mr. HAUGEN. Mr. Chairman, I would like to ask the gentleman if he has read the section that provides for the equalization fee to cover the loss.

Mr. KINCHELOE. Oh, yes; I have read all the sections. It provides that they shall levy an equalization fee, and if it is big enough it will take care of the loss; but the point I am making is that no human mind can tell whether the equalization fee will be big enough, no human mind can tell whether the world's price will fall before they get it into the world's market, and if it does fall beyond the amount of the equalization fee the additional loss will come out of the capital. And yet they are going to sell bonds and notes to the extent of five times the capital stock which is subject to Federal and State taxes.

Mr. BEGG. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. BEGG. If a man sues the company and he gets a judgment, is not the capital stock liable for the judgment?

Mr. KINCHELOE. That depends on the cause of action.

Mr. BEGG. In a suit against the corporation, if they get judgment against the corporation, would not the capital stock be liable?

Mr. KINCHELOE. The capital is liable except in two contingencies.

Mr. BEGG. What are those contingencies?

Mr. KINCHELOE. An equalization fee is levied for two purposes, to stand the exportable loss and pay expenses. In any other action it would be liable.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. MACLAFFERTY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 9, line 17, after the word "corporation," add the following: "*Provided, however,* That neither the money subscribed for the capital stock as provided in section 31 of this act nor the additional funds raised by the issuance of obligations as provided in this section shall be used for the purpose of exporting surpluses of agricultural products by sea during emergencies unless the exportation is carried out in ships of American registry."

Mr. DICKINSON of Iowa. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MACLAFFERTY. Mr. Chairman and gentlemen, when the debate began on the bill my mind was open and as unprejudiced as I would ask the mind of a juror before whom I was being tried. As I have listened to the debate my mind has begun to slip away from the idea that there is real merit in this bill. I have listened as consistently to this debate as I have to any that has taken place since I have been a Member of the House.

I am offering an amendment to the bill in good faith, one which I believe will bring votes and support to the bill. I recognize the fact that the American farmer is sick, and every man in this room wants to do something to help him if it can be made known what there is to be done.

I can not help seeing the picture of the American farmer somewhat as a cartoonist might draw him; I can see him propped up in bed with his head bandaged, with a table at the side holding a thermometer, the room full of nurses, not trained nurses but what one might call "practical" nurses, men wearing big shoes, rather clumsy, every one of them holding in one hand a nostrum with a big wooden ladle in the other hand and insisting that the patient take his particular kind of a nostrum. I feel sure that some one of them is going to kick the bed and cause the patient increased discomfort, and they may hit the table, upset the lamp, and burn up the house. [Laughter.]

If the bill passes, there will be sometimes four to seven hundred ship loads of wheat to be sent abroad, and I am calling attention to the fact that there are 900 American ships idle to-day. If the corporation is not going to use any part of 700 ships, I want to make sure that the wheat will not be shipped in British or in Japanese ships. I have offered the amendment in perfect good faith and hope it will be carried, and if it does more men will vote for the bill than there will otherwise be.

Mr. DICKINSON of Iowa. Will the gentleman vote for the bill if the amendment carries?

Mr. MACLAFFERTY. I do not want to promise that.

Mr. DICKINSON of Iowa. Mr. Chairman, I make the point of order that the amendment is not germane.

Mr. MACLAFFERTY. Mr. Chairman, might I call attention to page 14, subsection (b), line 9, which reads as follows:

(b) The corporation shall sell the amounts of any such commodity, purchased in accordance with the provisions of subdivision (a) of this section—

(1) In the foreign market at such times as it deems advisable and at the highest prices obtainable;

(2) In the domestic market at such times as the corporation deems advisable and at not less than the purchase price, except as otherwise provided in this section; and

(3) In the domestic market at such times as the corporation deems advisable and at the highest prices obtainable, for exportation or for processing for exportation from the United States, under such regulations as the corporation may prescribe (including, in the discretion of the corporation, the giving of a bond, in a penal sum of not more than one and one-half times the value of the commodity, conditioned upon the compliance with such regulations and the terms of such sale).

The CHAIRMAN. The section just read—section 32—is a grant of power to the corporation to borrow money and issue bonds, and it contains nothing further than that grant of power. The amendment is as follows:

Provided, however, That neither the money subscribed for capital stock as provided in section 31 of this act nor the additional funds raised by the issuance of obligations as provided in this section shall be used for the purposes of exporting surpluses of agricultural products by sea during emergencies, unless the exportation is carried out in ships of American registry.

The rule is that an amendment to be in order must be not only germane to the bill but germane to the particular section to which it is offered. This amendment is not germane to the particular section to which it is offered. The Chair expresses no opinion as to whether it is germane to the bill itself, but as to this particular section the point of order is sustained.

Mr. ROACH. Mr. Chairman, will the gentleman hear me for a moment on that?

The CHAIRMAN. Certainly.

Mr. ROACH. Section 32 is one of the methods for providing capital stock of this corporation, and of course, the capital stock is to be used for the purpose of exporting agricultural products. This amendment of the gentleman from California [Mr. MACLAFFERTY] is merely a limitation upon that money thus provided for in section 31 and in section 32. The two sections, 31 and 32, provide for the capital stock and are inseparable, because that is a method by which the capital stock of this corporation is created, and it certainly would be germane and in order to place a limitation upon the expenditure of the money for this capital stock of this corporation.

The CHAIRMAN. The gentleman misconstrues the rule of limitations. It is only applicable as ordinarily understood to appropriation bills. This is not an appropriation bill. This is a legislative bill, and, therefore, the only test as to whether this amendment is in order is the test of germaneness. It is not germane to the particular subject matter in this section. It may be to the bill, but not to the particular section; and the Chair sustains the point of order.

The Clerk read as follows:

LIABILITY OF THE UNITED STATES

SEC. 33. The United States shall assume no liability, directly or indirectly, for any notes, bonds, or other evidences of indebtedness issued by the corporation, and all such evidences of indebtedness shall so state on their face.

Mr. BEGG. Mr. Chairman, some of the proponents of this bill think that some of us are only talking to waste time. I am not, and so far as this bill is concerned, and what we are able to do with it, I would just as soon discontinue reading it and vote on the whole thing in toto. I wish you would read lines 4 and 5, on page 9. It is there provided that "there is hereby authorized to be appropriated $200,000,000 out of the Treasury of the United States." What for? To buy the capital stock of this company. The next paragraph, lines 9 and 10, I wish you would also read. Then this company is authorized to issue notes and bonds and other evidences of indebtedness. There never was so wild a scheme of high finance in the crooked game ever foisted on the American public unless you intend to hold the United States responsible back of it. What are the assets of this company? It has no assets other than its capital stock, and if it wishes another hundred million dollars worth of bonds and funds, and anybody is willing to take them, that second issue of bonds will come in as a lien against the capital stock of $200,000,000. There is nobody who knows anything about a bonding company or a stock company that does not know that that is the fact under the laws of every State in the Union and the United States, and there is no use of laughing it off and there is no use of trying to ridicule it. You are either going to make it a gift of $200,000,000 under the guise of a loan, or else you have hamstrung your corporation and you can not raise a hundred thousand dollars.

Mr. GREEN of Iowa. I think the gentleman misquoted himself. He said that the bonds would be a lien upon the stock. The gentleman means the assets?

Mr. BEGG. I mean the assets, and the assets are the stock. If the bondholders throw this company into insolvency, I say to you that the United States Government would fork over the stock that represented the capital outstanding.

Mr. TINCHER. Does the gentleman know what the capital stock of the Shipping Board and the Emergency Fleet Corporation paid for by the Government was?

Mr. BEGG. And how much is it worth? The Shipping Board did not issue other outstanding evidences of indebtedness. The Shipping Board never was foisted on the American people under the guise of a loan and did not cost the Government anything. Everybody knew that the Shipping Board was a direct appropriation out of the Government, and they come in every year and ask for a deficit appropriation, and they get it. This corporation is allowed to keep only enough for operating expenses, and if they have any losses, where do those losses come from? They come out of your capital stock, out of the Federal Treasury, and any man that buys a bond of this corporation or any kind of a certificate of indebtedness of this corporation and the corporation goes up has a claim against the Government, and just as sure as we are in this Congress every last one of us will be called upon to vote for some claim in order to make up the losses of the men who took the bonds, and the proponents of the bill, if they are here, will stand on the floor and argue that it is a moral obligation of the United States, because we are morally back of this corporation. I am not that kind of a man who is afraid to go out and vote for $200,000,000 as a gift to the farmers of the Northwest, if they can not keep out of bankruptcy in any other way, but I certainly am not going to try to fool my taxpayers in Ohio by telling them it is only a loan to them, when there is not an asset under God's shining sun for this corporation other than the money raised by taxation to give it an asset.

Mr. HAUGEN. I believe the gentleman is an officer of the joint-stock bank.

Mr. BEGG. The gentleman used to be, and he lost a good wad of money under private operation.

Mr. HAUGEN. The gentleman is familiar with it.

Mr. BEGG. I think I know something of that kind of a game.

Mr. HAUGEN. The joint-stock banks borrow fifteen times, three times as much as this corporation.

Mr. BEGG. And what do they get back of it. They get 15 mortgages for 50 per cent of the appraised land value, and those 15 mortgages plus a double liability of stock that every man holds of $250,000.

Mr. HAUGEN. Back of this there will be the basic agricultural products.

Mr. BEGG. There is not a thing back of these bonds, not a nickel of security.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

Mr. HAUGEN. Will the gentleman permit, Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 19, after the word "liability," strike out the comma and insert "whatever."

Mr. NEWTON of Minnesota. Mr. Chairman, in view of what has been said, not only by the gentleman from Ohio [Mr. BEGG] but what was said some several days ago, that there would be a demand upon the Government later in the event of a loss for the Congress to make up this loss, I have thought it advisable to offer this amendment so that there may be no misunderstanding about it whatever, that the United States shall assume no liability whatever, directly or indirectly. Now, I think it is the intention of the members of the committee in reporting this bill not to have the Government of the United States liable in any sense at all; and if so, I take it that they will agree to this amendment, and if they feel that the Government ought to come in later and take care of it they will, of course, oppose the amendment.

Mr. DICKINSON of Iowa. Has there ever been a claim put in on account of any loss occurring in regard to a joint-stock land bank or a farm-loan bank? Has the Government ever been called upon to pay anything on these?

Mr. NEWTON of Minnesota. I will say this to the gentleman: The situation is entirely different with relation to the joint-stock land bank and the farm-loan bank. This was brought out by the gentleman from Ohio.

Mr. DICKINSON of Iowa. The same principle is involved exactly.

Mr. KINCHELOE. The joint-stock banks and the farm-loan banks do business at a profit and have security upon which they are loaning the money.

Mr. NEWTON of Minnesota. The situation is not at all analogous.

Mr. SHALLENBERGER. What is the meaning of section 33? Does it not state exactly what the gentleman has in mind?

Mr. NEWTON of Minnesota. I am making it even stronger than that which is contained in section 33.

Mr. SHALLENBERGER. What does the gentleman offer?

Mr. NEWTON of Minnesota. To insert the word "whatever."

Mr. WILLIAMSON. I do not think the word "whatever" will add to it or take anything from it.

Mr. NEWTON of Minnesota. In view of what has been said and in view of the position announced by the committee that there was no intention to hold the Government liable at all upon any of this indebtedness, it does not seem to me there ought to be any objection coming from the committee to my making it even stronger than what it is in the bill.

Mr. WILLIAMSON. It is as strong as language can make it.

Mr. NEWTON of Minnesota. Well, assuming $200,000,000 has been paid in. According to the gentleman from Wisconsin [Mr. VOIGT] the packers have in cold storage to-day products upward of $200,000,000 to $250,000,000. Now, there is an emergency to-day in reference to pork products. The domestic price is below the ratio price. It is the business of this corporation to raise the domestic price to the ratio price. They have to go out and buy pork products until that point is reached. By the time they bought the available exportable surplus of wheat, and by the time they bought the available exportable surplus of pork, including the cold-storage products, the capital of $200,000,000 will have been more than exhausted. They will then have to rely upon the capital obtained from the sale of these bonds. I agree with the gentleman from Ohio it is going to be some job to get any financier or anybody who knows anything about it to come in and buy bonds having no assets behind them.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. SUMMERS of Washington. In view of the fact the language reads, "The United States shall assume no liability, directly or indirectly," does not the gentleman think it might be strengthened by adding "I cross my heart and hope I may die if I do"? [Laughter.]

Mr. NEWTON of Minnesota. My purpose is to make it stronger——

Mr. SUMMERS of Washington. I do not think the language used will make it any stronger unless you use language with

which a small boy pledges himself to do something, and I suggest this seriously now——

Mr. NEWTON of Minnesota. Does the gentleman want this Government to become liable at all for any of this indebtedness?

Mr. SUMMERS of Washington. Not at all. This says, "The United States shall assume no liability, directly or indirectly," and you can not get language stronger unless you put in the language I have suggested.

Mr. NEWTON of Minnesota. I have suggested that putting in "whatever" makes it stronger, and I had supposed that the forces behind the Haugen-McNary bill would surely be with me in support of this amendment.

Mr. SUMMERS of Washington. I insist that my amendment is stronger than the one the gentleman suggests.

Mr. SHALLENBERGER. And to be sure that nobody might possibly be misled we are going to print on the face of them that the Government is not responsible at all.

Mr. NEWTON of Minnesota. If the gentleman will put that in plain, good old English type possibly I can understand it.

Mr. SHALLENBERGER. It is declared that they shall be so printed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTNESS. Does not the gentleman think it would be a sensible amendment to provide that it shall be printed in red?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART 4.—POWERS

GENERAL POWERS

SEC. 41. The corporation—

(a) Shall have succession in its corporate name during its existence.

(b) May sue and be sued in its corporate name.

(c) May adopt a corporate seal, which shall be judicially noticed, and may alter it at pleasure.

(d) May make contracts.

(e) May acquire, hold for any lawful purpose, and dispose of property.

(f) May appoint, fix the compensation of, and remove without prejudice to contract rights such officers, employees, and agents as are necessary for the conduct of the affairs of the corporation. Such employees and agents may be either individuals, partnerships, corporations, or associations. Each officer, employee, or agent responsible for the handling of money or property of the corporation shall give bond in such amount, with such penalties and upon such terms, as the corporation may determine.

(g) May adopt, amend, and repeal by-laws.

(h) Shall have such powers not specifically denied by law as are necessary and proper to conduct, under this act and in accordance with approved business methods, the business of trading in basic agricultural commodities, or such further business as is necessary and incidental thereto.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kentucky moves to strike out the last word.

Mr. KINCHELOE. Mr. Chairman, I just want to call the attention of the committee to subsection (f), where it gives the corporation plenary power to appoint employees, officers, and subordinates and fix the compensation of such officers, employees, and agents as are necessary in the conduct of the affairs of the corporation. They have the right to employ as many men in the Government service as they want to. They have a right to fix the compensation of those Government employees in their discretion.

Now, can you not imagine the situation that will ensue when this corporation has employees in these various stockyards buying the surplus livestock on foot, at various elevators buying the surplus wheat, with their thousands of employees, where they have to have their buyers, and where they have to have their graders, and their bookkeepers there, and their paymasters; and then, with another drove of them running over the country, invading everybody's home to see that nobody violates the law, to see that no farmer fails to take the receipt, and that the buyer does not fail to give him a receipt, because if either happens they will take them to jail and imprison them for not over a year or fine them not over $5,000 for each offense, or both? Then, when they grade this stuff, they have to see to it that it is placed on the docks and loaded on the ships; and then they have got to have employees on the other side to see that it lands, and they have to have agents in Europe to create a market for this export surplus; and with the horde of Federal officers running all over the country, invading everybody's home in the district of my friend from Illinois [Mr. MCKENZIE], fixing whatever salaries they want to, it will amount to millions of dollars, every dollar and every cent of which will come out of the pockets of the farmer in this equalization fee. I can imagine, after the officers shall have had their salaries paid and their expenses paid, including even big beefsteaks at the best hotels, the equalization fee will be so big that when my farmer and your farmer pays it, I am sure he will rise up and make the Sixty-eighth Congress blessed for passing this wicked bill giving these people a joy ride all over the world at the expense of the farmer.

Mr. MCKENZIE. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Certainly.

Mr. MCKENZIE. I may have a wrong impression as to this bill. I am just as much opposed to an army of Federal inspectors and officeholders as is the gentleman from Kentucky [Mr. KINCHELOE], but my understanding is that all the expenses entailed under this bill will be paid by the farmer. And if so, why complain?

Mr. KINCHELOE. Of course they will all be paid by the farmer, and if the gentleman will read section 204 he will find that before anything is realized by the farmer on the receipts, by reason of the buyer holding out the equalization fee—after all expenses are paid, including the expenses and salaries of this horde of officers, then if anything trickles down in the way of profit, of course that goes to the farmer. [Applause.]

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. HUDSPETH. My friend is complaining that Reuben will have to pay the bill?

Mr. KINCHELOE. Yes. My contention is that with all these expenses paid, the ratio price will be wiped out and the farmer will pay the bill.

Mr. HUDSPETH. Why is the farmer clamoring for an opportunity to pay the bill?

Mr. KINCHELOE. On account of the propaganda that has misled him. [Applause.]

The CHAIRMAN. The committee will rise informally to receive a message from the Senate.

Mr. BLANTON. Before you do that, Mr. Chairman, I make a point of order that there is no quorum present.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. BEGG having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendment to the bill (H. R. 4835) to pay tuition of Indian children in public schools, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HARRELD, Mr. CURTIS, and Mr. KENDRICK as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate No. 14 to the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, with an amendment as follows: After the words "military posts," insert the words "including Camp Lewis, in the State of Washington."

The message also announced that the Senate had passed the following resolution:

Resolved, That the House of Representatives be requested to return to the Senate the bill (S. 601) entitled "An act granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., to construct, maintain, and operate a dam across the Poteau River.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 13

Resolved by the Senate (the House of Representatives concurring) That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill (S. 381) to amend section 2 of the act entitled "An act to provide for stock raising homesteads, and for other purposes," approved December 29, 1916.

Mr. BLANTON. Mr. Speaker, I appeal from the decision of the Chair. If the Speaker does not want to obey the rules and laws of the House, I can not enforce them.

M'NARY-HAUGEN BILL

The committee resumed its session.

The CHAIRMAN. All time has expired.

Mr. CHINDBLOM. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. There is no time sufficient.

Mr. CHINDBLOM. I rise, Mr. Chairman, in opposition to the pro forma amendment.

Mr. HAUGEN. Mr. Chairman, I desire to be recognized.

The CHAIRMAN. The time does not seem to have wholly expired.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

Mr. BLANTON. I want three minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto be now closed.

Mr. CHINDBLOM. Mr. Chairman, I move to amend the motion by making it five minutes.

The CHAIRMAN. The gentleman from Illinois amends the motion to make it five minutes.

Mr. BLANTON. Mr. Chairman, I move a substitute to make it eight minutes.

The CHAIRMAN. The gentleman from Texas moves a substitute, to make it eight minutes. The question is on the substitute amendment of the gentleman from Texas.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BLANTON. Mr. Chairman, I ask for a division. I want to pay my respects to the gentleman from Ohio [Mr. BEGG].

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 39, noes 65.

So the substitute was rejected.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and thirty Members are present, a quorum. The question is on agreeing to the substitute offered by the gentleman from Texas [Mr. BLANTON] that debate close in eight minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 14, noes 67.

So the substitute was rejected.

The CHAIRMAN. The question is now on agreeing to the motion of the gentleman from Iowa that all debate on this section and all amendments thereto be closed.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 72, noes 3.

So the motion was agreed to.

The Clerk read as follows:

SPECIAL POWERS

SEC. 42. (a) The corporation is authorized—

(1) To acquire the rights of operation of storage warehouses for basic agricultural commodities, facilities for transportation (otherwise than as a common carrier) in connection with the storage of such commodities, and facilities for processing such commodities.

(2) To make contracts for the processing of basic agricultural commodities held by the corporation.

(3) To conduct the business of furnishing storage facilities for basic agricultural commodities.

(4) To make advances directly to any person if the notes and bonds or other evidences of indebtedness representing such advances are secured by warehouse receipts and/or shipping documents covering such commodities and/or mortgages thereof. Such advances shall be subject to such conditions as the corporation may impose, except that no advance shall be for a period in excess of one year, and except that the amount of the advance shall not exceed 75 per cent of the market value of the basic agricultural commodities covered by such warehouse receipts, shipping documents, or mortgages. The date of the maturity of any such advance may be extended once for a period not in excess of one year. The corporation may, in its discretion, sell any notes, bonds, or other evidences of indebtedness representing advances made under this section, with or without its indorsement.

(5) To acquire, hold, and dispose of certificates of indebtedness or interest of any person received as security for advances upon basic agricultural commodities or received in payment of the purchase price of such commodities sold by the corporation.

(6) To buy and sell foreign money for the purpose of avoiding the risk of fluctuations in exchange.

(b) The corporation shall utilize, so far as practicable, existing facilities and agencies, including associations of producers, in the exercise of its powers, and shall exercise the powers granted it in paragraphs (1) and (3) of subdivision (a) only if the existing agencies or facilities can not be used or obtained on reasonable terms.

(c) Inasmuch as operations under this act will not continue for more than five years, the corporation shall cooperate with and encourage formation of associations of producers of agricultural commodities, so that during such period producers may perfect marketing associations for procuring the objects to be accomplished by operations under this act, and after the termination of the general emergency such associations of producers will be prepared to assist in procuring orderly and efficient production, distribution, and marketing of agricultural commodities.

Mr. BLANTON. Mr. Chairman, I offer an amendment. I move to strike out, in line 9, page 11, the words "special powers."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 11, line 9, strike out the words "special powers."

Mr. BEGG. Mr. Chairman, I ask unanimous consent to speak for two minutes.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

Mr. FAIRCHILD. Mr. Chairman, I offer an amendment making it 10 minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York to the motion made by the gentleman from Iowa.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is now on the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. CABLE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5325) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 112) providing for a comprehensive development of the park and playground system of the National Capital.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 237) directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes.

M'NARY-HAUGEN BILL

The committee resumed its session.

The CHAIRMAN. Without objection, the pro forma amendment of the gentleman from Texas is withdrawn.

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: On page 11, line 16, strike out the words "make contracts" and insert in lieu thereof the word "contract."

Mr. NEWTON of Minnesota. Mr. Chairman, the present price of wheat is around $1, the domestic price, and it is figured by the proponents of the bill that when this goes into effect the domestic price will be somewhere around $1.50 and that the surplus will sell abroad for whatever it will command. In addition to having an exportable surplus of wheat we also export a good many million barrels of flour every year. The miller, of course, is the farmer's best customer, and the nearer the mills are to the farmer the better customer the miller is, and I take it that in drawing up this bill there was no intention whatever to in any way handicap the miller either in his domestic trade or in his export trade. It is perfectly clear that the miller can not buy at the domestic price of $1.50 and then sell flour abroad and compete with foreign manufactured flour bought where the wheat was bought at $1. So some sort of an arrangement must be made in order to take care of that or the miller is going to be without his export business.

I would like to ask the gentleman from Iowa just what the purpose is and just how it is planned to handle the export flour business under the terms and provisions of this bill?

Mr. HAUGEN. The corporation will sell to the miller for export at the highest available price.

Mr. NEWTON of Minnesota. That is, the highest domestic price?

Mr. HAUGEN. The highest available price—the world price. To-day, if the price of wheat is $1, the price for export would be $1 and the price for domestic consumption would be $1.50.

Mr. NEWTON of Minnesota. Then, as I understand it, the corporation will sell the wheat that they purchase at the domestic price to the miller at the world's price?

Mr. HAUGEN. At the highest available price.

Mr. NEWTON of Minnesota. That meaning, the world price.

Mr. HAUGEN. Whether it is $1 or $1.10.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

Mr. BLACK of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: Page 12, after line 10, insert: "(a) To use such commodities in the production of cereal beverages to be obtained by the alcoholic fermentation of an infusion or decoction of barley malt, cereals, and hops in drinkable water, containing not more than 2.75 per cent of alcohol by volume, to be sold in foreign or domestic markets or transported for sale in original packages for consumption in homes and places other than the place of sale."

Mr. TINCHER. Mr. Chairman, I make a point of order against the amendment that it is not germane.

Mr. BLACK of New York. Will the Chair hear me on that?

Mr. TINCHER. The time was fixed and all time has expired.

Mr. BLANTON. The amendment is not germane.

The CHAIRMAN. The time for debate is restricted, but, of course, if the gentleman cares to be heard on the point of order, he can be heard.

Mr. BLACK of New York. Mr. Chairman, the bill starts off by declaring the emergency and proceeds to declare certain commodities in which this emergency may obtain. Among the commodities in which the emergency may obtain is the commodity known as rice. I find from an inspection of various official records that the commodity known as rice is largely used in the making of beer.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is not discussing the point of order. He is discussing the advisability of evading the Constitution of the United States.

The CHAIRMAN. The Chair thinks the gentleman is right. The question here for the gentleman from New York to argue, if he cares to, is how this amendment happens to be germane.

Mr. BLACK of New York. It is germane on the theory that rice is a commodity provided for in the bill. Rice is a commodity that may be processed under this section of the proposed act. It may be processed with what? With other materials. Now, it is surely not the intention of this bill to process any of these things all by themselves. They have got to take into consideration other things that may make them usable. Among the other things are the commodities I have set forth in my amendment. On the germaneness of a prohibition question coming into this bill, let me say that when the Lever Act came into this House Mr. BARKLEY offered an amendment calling for prohibition as an aid to the agricultural situation.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is discussing prohibition, which has no connection with this bill.

Mr. BLACK of New York. I am trying to show its connection.

The CHAIRMAN. The Chair understood the gentleman was about to cite a precedent.

Mr. BLANTON. I have no objection to the gentleman taking up two hours, if he wants to.

The CHAIRMAN. The Chair does not intend to listen to the gentleman for two hours. However, the Chair thinks a decent observance of the rules should permit the gentleman to present any argument or precedent he may have.

Mr. HAUGEN. The debate here has taken a wide range, and I think the gentleman should have reasonable time to discuss the proposed amendment, and I trust the gentleman from Kansas will simply withhold the point of order, so that the gentleman may have a reasonable time.

Mr. BLACK of New York. The chairman of the committee has been very kind to me.

The CHAIRMAN. That is entirely within the discretion of the gentleman from Kansas.

Mr. TINCHER. I am not withholding the point of order, but I am willing to be very liberal in the discussion of the point.

Mr. BLANTON. Mr. Chairman, I make the point of order the amendment is not germane either to the bill or to the paragraph, and that it is an attempt to place on this bill an evasion of the Constitution and the law with respect to prohibition.

Mr. TINCHER. Mr. Chairman, I made the point of order. I did not reserve any point of order, but I am patient and I am not in any hurry, if the Chair wants to hear the gentleman discuss the point of order.

Mr. BLANTON. Well, I am in a hurry. I do not think we ought to take up time discussing its merits.

Mr. BLACK of New York. Mr. Chairman, when I was broken in on by the gentleman from Texas with his dry speech I was addressing myself to the parliamentary question. I was about to cite certain precedents, and those precedents peculiarly apply to this bill. I was saying that the prohibition question arose in the agricultural act known as the Lever Act, and on that act there was offered an amendment as a rider to meet an emergency, as this is to meet an emergency, and it was decided that the prohibitory feature was germane to the food control act. Now we have a food control act and I am taking the converse of that situation.

I think if there is any virtue at all in the prohibition question, writing it in on a bill for agricultural food control in an emergency, that my amendment offered to cure a like situation is germane to a food proposition. Moreover, the pending bill sets forth special powers that are just within the limits of our constitutional powers, and I think I am within the rule of germaneness by calling in all our police power. Its germaneness might be determined by the power of the committee to report the bill under consideration and consider the amendment. I think the agricultural committee would have the right to consider this amendment, because the Lever Act came from the Committee on Agriculture, and to it was attached an amendment containing a prohibition feature.

The CHAIRMAN. The Chair can not see how this can be considered germane on any reasonable ground either to the bill or the section. The Chair sustains the point of order.

Mr. BLACK of New York. Mr. Chairman, I ask unanimous consent to extend my remarks on the substantial features of the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

PURCHASES AND SALES BY THE CORPORATION

SEC. 44. (a) The corporation shall purchase the basic agricultural commodity in amounts necessary to maintain at the level of the ratio price the domestic price of such commodity or any class or grade thereof, in respect of which a ratio price is established. Purchases of such commodity, class, or grade in the basis market shall be at such ratio price. Purchases in such market of any other class or grade, and purchases in any other domestic market, shall be at prices, based upon such ratio price, which reflect the normal and usual commercial differences in the prices of such commodity, class, or grade. In making any such purchases the corporation may, from time to time, make allowances to cover storage and other holding costs.

(b) The corporation shall sell the amounts of any such commodity, purchased in accordance with the provisions of subdivision (a) of this section—

(1) In the foreign market at such times as it deems advisable and at the highest prices obtainable;

(2) In the domestic market at such times as the corporation deems advisable and at not less than the purchase price, except as otherwise provided in this section; and

(3) In the domestic market at such times as the corporation deems advisable and at the highest prices obtainable, for exportation or for processing for exportation from the United States, under such regulations as the corporation may prescribe (including, in the discretion of the corporation, the giving of a bond, in a penal sum of not more than one and one-half times the value of the commodity, conditioned upon the compliance with such regulations and the terms of such sale).

(c) After the special emergency in respect of any such commodity has been terminated, the corporation, in order to wind up its operations in respect of such commodity, may sell its surplus thereof in either the domestic or foreign market at the highest prices obtainable.

Mr. KINCHELOE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 13, line 23, after the word "price" insert the words "plus 10 per cent"; on page 14, line 2, after the word "price" insert the words "plus 10 per cent"; on page 14, line 4, after the word "price" insert "plus 10 per cent."

Mr. KINCHELOE. Mr. Chairman, I am offering this amendment because it is going to help the farmer. The ratio price is the average price between 1905 and 1914. The farmer never did get what was due him from 1905 to 1914 because the Dingley tariff bill and the Payne tariff bill were on the statute books doing the same thing to him that the Fordney-McCumber bill is now doing. So I want to fix the ratio price plus 10 per cent.

It is admitted that the farmer has been losing 50 cents a bushel on wheat. All this bill is going to do, gentlemen, is to say to the farmer, "True you have been losing 50 cents a bushel on wheat, but now we are going to fix it so you will not lose but 25 cents a bushel." I want to call attention to what Gray Silver, of the Farm Bureau, said about this:

Mr. KINCHELOE. Your idea is that instead of basing the ratio on 1905 to 1914, that it should be based on 1905 clear on up to the present time?

Mr. SILVER. No; use the same ratio, but after the ratio has been found, find what relation his indebtedness and the losses he has sustained bear to the former position and add a percentage there to the ratio so as to make it a true ratio instead of an arbitrary ratio fixed in a way which, in our judgment, will not be a true ratio.

Mr. SINCLAIR. Wouldn't you also include increase in taxes?

Mr. SILVER. Yes.

Mr. SINCLAIR. That is a very important element.

Mr. SILVER. It is an element that can be shown. This is a matter which technical men can definitely arrive at, just as definitely as they arrive at the ratio, and they should add that percentage, whether it be 5, 10, or 15 per cent, so that they will make the ratio a true ratio.

Mr. PURNELL. Is it your idea that this added percentage would ultimately, when the farmer gets back on a favorable basis, be eliminated, and simply be added as an emergency percentage to tide him over during his period of rehabilitation?

Mr. SILVER. It would be a part of the bill and would automatically retire when the sale price of the crop came above the ratio. It would disappear like the other would. It would only be making the ratio considering all elements, and thereby making a true ratio, instead of considering the conditions that existed, the relations that existed, between one group and another before the war.

Mr. PURNELL. In other words, the basis of ratio under the bill as now written would not be the true ratio?

Mr. SILVER. It would not make a true ratio, pre-war instead of post-war; this amendment would make it a post-war ratio, which is a true ratio.

Listen to what the chairman of the Committee on Agriculture admitted:

The CHAIRMAN. I fully agree with you that this does not give the full measure of relief, but this bill has been drafted on the principle that part of a loaf is better than none, and that is the position the farmers take.

Mr. SILVER. But you don't want to take the view that because a drowning man grasps at a straw or a hungry man takes a small amount of food, that he is going to be contented with it. In other words, we must not permit a bill to go by here that would fool the farmers, under which they would get less than they believe they are getting. We must not permit a measure to get by here that would keep the children out of school and that would make it impossible for the farm home to be reasonably comfortable, that would prevent equipping the farm in the proper way and economically operating it, because that means peasantry. There is only one step in the start between peasantry and the upstanding, self-respecting farmers of to-day. And what is that? That is just the step in the economic life that begins the downhill road toward illiteracy and doing away with up-to-date equipment, less comfortable homes, etc. You will be right in the road to peasantry, and I do not think the American farmer would stand for it, and I do not believe the other classes in this country want such a thing to come to pass. Even the people who do not approve the bill do not wish the farmer to get into a state of peasantry. They might have some other idea in their minds.

But in the absence of anything that is concrete and effective, this is a concrete thing, and let's use it; and when we do use it, let us make it real; let us make it do what we are telling the farmers it does do; let us make it the true ratio rather than saying it gives the ratio when in its terms it fails to give the ratio.

If you want to do something for the farmer in this bill, you are not going to do anything by giving him the ratio price under the bill and just that alone; but if you want to help him, go ahead with your ratio price and then put 10 per cent profit on it—that he may be raising something not at a loss. It says here that the average price the farmer received for No. 2 hard winter wheat from 1905 to 1914 was only 93.6 cents a bushel, and he was not receiving what he was entitled to then. Take the ratio price, and he is not receiving what he ought to get now, and he will not receive the cost of production. As I said in my speech the other day, quoting from a Tariff Commission report, where they made an estimate of the cost of wheat, the average cost was $1.47 a bushel. Your ratio price is only $1.50; but out of that has to come the equalization fee, which includes the cost on the exportable surplus and the cost of the operation of this corporation. Let us hand the farmer something that will do him some good by adopting this amendment.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon the section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 21, noes 51.

Mr. KINCHELOE. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. KINCHELOE and Mr. HAUGEN to act as tellers.

The committee again divided; and the tellers reported—ayes 23, noes 59.

Mr. KINCHELOE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and sixteen Members present—a quorum.

So the amendment was rejected.

The Clerk read as follows:

PART 5.—MISCELLANEOUS PROVISIONS

DISPOSITION OF ASSETS

SEC. 51. Upon the termination of the existence of the corporation all moneys in its treasury shall be covered into the Treasury of the United States as miscellaneous receipts, and all unliquidated property of the corporation shall be transferred to the United States in such manner as the President may by Executive order determine.

Mr. JACOBSTEIN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question.

Under this bill, if you establish a price, let us say, of $1.50 on cash winter wheat, No. 1, at Chicago, what price do you intend to establish on No. 2 cash winter wheat at the same market?

Mr. HAUGEN. The commercial difference.

Mr. JACOBSTEIN. How much, for the sake of example?

Mr. HAUGEN. Probably about 2 cents a bushel.

Mr. JACOBSTEIN. Let us say that it is 2 cents a bushel. What are you going to do if the conditions in the market are such that grade No. 2 is selling at a higher rate than grade No. 1?

Mr. HAUGEN. That would not be likely.

Mr. JACOBSTEIN. I am going to show you it is likely in order to bring out one of the difficulties in the administration of the bill.

Mr. HAUGEN. There is no change in the grades. The grades will be made exactly as in the past, and, as I stated to the gentleman, it is the commercial difference. No. 2 is not worth as much as No. 1.

Mr. JACOBSTEIN. I call the committee's attention to this difficulty in the administration of the law. At Chicago on May 10 of this year, according to the market record, grade No. 1 cash winter wheat was selling for $1.07 up to $1.13 on some cars. No. 2 was selling for $1.13 and $1.14. In other words, there are times when this occurs. There are about 21 official different grades of wheat at Chicago market.

Mr. CLARKE of New York. Nearer 100.

Mr. JACOBSTEIN. At least 21 different grades of wheat graded by the Government officials. At Minneapolis there are over 30 official grades. So you have grade No. 2 selling for a higher price than grade No. 1, and if the Government establishes the price of $1.50 on grade No. 1 to-day, then grade No. 2 would have to be marketed by the Government at, say, $1.46 or $1.47. And yet, as we have seen, the farmer can get more money for grade No. 2 by selling it to the miller. Is the farmer going to bootleg his grain?

Mr. HAUGEN. The grading changes are ordered to be made by the Secretary now. That part will be taken care of.

Mr. JACOBSTEIN. I do not think the gentleman has answered the question. Are there not conditions in the market in which it is impossible to arbitrarily grade the price of 21 grades of wheat at Chicago and of more than 30 at Minneapolis, since the market conditions frequently make it possible that a farmer can get more for grade No. 2 because of the gluten content of the wheat or the milling quality of the wheat than he can for grade No. 1?

I am calling attention to the difficulty of this bill in arbitrarily fixing the price of commodities, and if you answer that question to your satisfaction, well and good. I can not.

Mr. VOIGT. Let me call the gentleman's attention to a difficulty in the administration of the bill. If he will look at line 2, on page 14, he will see that this corporation has a right to make purchases in the market at a price which has not been established as a ratio price. That is, this corporation can buy without making public the price at which it buys under the provision that I have called attention to. It buys at something which is not a ratio price. It makes a private contract.

Mr. JACOBSTEIN. That being so, then the public officials or the directors of this corporation could really pay more at any time for grade No. 2 than for grade No. 1, regardless of market conditions. This illustrates again not only the difficulty but the possible injustice and danger of letting a semigovernmental institution fix prices arbitrarily.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon this section and all amendments thereto do now close.

The motion was agreed to.

The Clerk read as follows:

DETERMINATION OF AMOUNT OF FEE

SEC. 202. (a) The corporation shall for such operation periods, not in excess of one year, as it deems necessary, prepare estimates in respect of each agricultural commodity (unless it is of opinion that a special emergency in respect of such commodity will not be ascertained and proclaimed during the ensuing year or any part thereof), as to (1) the probable prices obtainable for the exportable surplus determined under section 44; (2) the probable losses of the corporation from its transactions; and (3) the expenses of the corporation.

(b) Having due regard to such estimates, the corporation shall determine, as nearly as may be, the total amount of such expenses and losses which will be incurred or sustained as a result of, and fairly and properly attributable to, the operations of the corporation in respect of each agricultural commodity during each operation period.

(c) The corporation shall ascertain the standard unit of weight or measure by which each such commodity is commonly sold or traded in, in the terminal markets of the United States, and shall determine the amount to be collected in respect of each sale or other disposition (as defined in section 206) of such unit, as hereinafter provided. Such amount is hereinafter referred to as the "equalization fee." The corporation shall publish, in each terminal market, the amount of the equalization fee, at the same time and in the same manner as it publishes the ratio price for each basic agricultural commodity.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. This bill is of vital interest to the wheat grower and of equal interest to the miller. The flour mills of the United States now grind 123,000,000 barrels of flour each year. Figuring 4½ bushels of wheat per barrel the millers of this country buy and grind 560,000,000 bushels of wheat each year. Of this amount 15 per cent finds its way into foreign markets. In terms of wheat our flour exports are equivalent to 83,000,000 bushels annually. Furthermore, if our flour mills were to work to capacity the year around they would be able to grind three times the quantity of wheat that they now grind. Here is the situation that I want to call attention to. The millers can not buy wheat at the domestic price (assuming this bill to go into effect) and grind that wheat for export where it would have to come into competition with flour ground from wheat purchased at the low export price. The corporation must make some sort of an arrangement with the exporting miller. It will only be by reason of some such arrangement that the miller can grind for export. He must either buy through the corporation at the world market price or enter into a contract to grind for the corporation or something akin to that. Now, then, only 15 per cent of the wheat ground into flour is exported. It seems to me that the plan proposed here would permit favoritism in the making of arrangements for the manufacture of flour for export. This should be safeguarded in some way. It should not be left to the whim of some individual connected with the corporation. The corporation might sell wheat to one mill at one price and to another mill at another price. They could turn the export business of the country from one milling district to another milling district. Such favoritism ought not to be shown or discriminations practiced, but politics is politics, and this ought to be carefully safeguarded so far as it can be.

Here is another situation pertaining to the miller. Here is a miller engaged in both the manufacture and sale of flour for both domestic and export trade. If this miller is doing business in a prudent and businesslike manner, before he sells his flour he will either have a sufficient stock of wheat on hand or a contract to purchase that wheat. He must know what the wheat is going to cost him. If he does otherwise he is speculating and sooner or later is bound to come to grief. Furthermore, no miller can tell in advance just what his sales are going to be in any given month. They will be 100,000 barrels one month and the next month he may have but little business. The result is that the average miller doing any considerable business will often have an excess quantity of wheat on hand. This will happen when there is no desire whatever on his part to speculate. If this miller is prudent he will protect himself against loss due to a drop in the market by making a contract for the sale for future delivery of a quantity of wheat equal to such excess. In other words, he will hedge his excess stock of wheat. This hedging contract is a perfectly legitimate transaction and he can legally be called upon to deliver the wheat specified therein. If he has hedged on 50,000 bushels, then, when the time comes for him to deliver, he must either deliver the 50,000 bushels of wheat or make a settlement. I think it can be said that every careful, prudent miller makes hedging contracts to protect himself in situations of this kind.

The first effect of this bill, if it becomes a law, will be to raise the price of wheat in the domestic market from the present price of about $1 to $1.50. The wheat that the miller has on hand will advance in price equally with the wheat which the farmer has. This has been criticized by some, but I do not see how you can draw a law which will raise the price of wheat belonging to the farmer and deny it to anyone else. We could not legally discriminate. So what wheat the miller has on hand will advance in price. This he purchased to grind into flour and he will grind it into flour. Now, this miller, and this is the particular situation to which I want to call attention, has been prudent and has hedged his wheat so that he is obligated to make delivery in the future. Following the making of that hedge this bill becomes a law.

The miller finds himself obligated to deliver wheat in the future upon which the market price has increased from $1 to $1.50 per bushel. In our part of the country the miller would not ordinarily use the wheat that he had on hand for making delivery on this future contract, because the wheat he has purchased is of the particular kind and quality which he needs for milling purposes. It has taken him time and expense while operating upon the cash market to acquire this and in many instances it would be difficult to replace. So he must use it for milling purposes. To perform on his future contract he must go out into the market and buy wheat at the new domestic price of $1.50 per bushel, instead of the $1 price which prevailed when the hedging transaction commenced. As a result of this the miller will stand to lose on the outstanding contract the amount by which the then domestic price at the time of settling has increased over the price in effect at the time the contract was entered into. A settlement on this basis might very well prove to be disastrous, and bankrupt the miller. Will not the effect of this transaction be that the cost to the miller of all wheat on hand or under contract to purchase will be increased by the extra amount, due to the increase in the market price over the contract price of the wheat sold for future delivery paid by the miller on the outstanding contracts of sale for future delivery?

When the miller makes flour out of such excess amount of wheat, the title to such wheat not having been transferred pursuant to a contract made before the declaration of the special emergency, will not the miller have to pay the equalization fee to the United States Grain Export Corporation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. Now, I am unable to understand from the bill as it is drawn just how that particular transaction would be met in the bill, and I would like to have any member of the committee answer it if he can answer it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. I ask for a couple of minutes, just to have some one answer the question.

The CHAIRMAN (Mr. CHINDBLOM). The gentleman asks for two additional minutes.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. DOWELL. Mr. Chairman, I object.

Mr. HAUGEN. Mr. Chairman, I move that all debate on the section and all amendments thereto do now close.

Mr. NEWTON of Minnesota. The gentleman from Minnesota will ask the question again at another part of the bill.

Mr. BLANTON. I make the point of order that the motion is out of order because there has been no debate against it. I ask recognition against the amendment.

The CHAIRMAN. There has been debate.

Mr. BLANTON. Only five minutes' debate.

The CHAIRMAN. That is sufficient.

Mr. BLANTON. We are entitled to five minutes for and five minutes against an amendment under the rule, and there has been only five minutes of debate.

The CHAIRMAN. The rule as set out in the manual states that a motion to close debate is in order until such debate has been taken, which means that a Member may proceed for five minutes, and there has been such debate.

Mr. BLANTON. I move to amend by making debate close in five minutes.

The CHAIRMAN. The gentleman from Texas moves to amend the motion of the gentleman from Iowa that all debate shall cease after five minutes.

The question was taken, and the Chair announced that the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 13, noes 47.

So the amendment was rejected.

Mr. BLANTON. I offer a substitute that debate close in two minutes.

The CHAIRMAN. The gentleman offers a substitute that debate close in two minutes.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 11, noes 55.

So the motion was rejected.

Mr. KINCHELOE. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fourteen gentlemen are on the floor of the House, and a quorum is present. The question now is on the motion of the gentleman from Iowa that debate on this section do now close.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 67, noes 6.

So the motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PAYMENT AND COLLECTION OF THE EQUALIZATION FEE

SEC. 203. (a) Whenever a special emergency in respect of any agricultural commodity has been ascertained and proclaimed and until the termination thereof, under section 2, the equalization fee shall be paid, under such regulations as the corporation may prescribe, by every producer (or the person making the sale on his account) upon every sale or other disposition (as defined in section 206) of such agricultural commodity by or on account of such producer.

(b) The corporation may by regulation require the purchaser of any such agricultural commodity to collect such equalization fee from such producer, and may require such purchaser to issue to such producer a receipt therefor, which shall be evidence of the participating interest of the producer in the equalization fund for the commodity. The corporation may, in such case, prepare and issue such receipts and prescribe the terms and conditions thereof. The Secretary of the Treasury, upon request of the corporation, is authorized to have such receipts prepared at the Bureau of Engraving and Printing, but the cost thereof shall be paid by the corporation.

(c) The corporation may by regulation require any purchaser or producer to file returns under oath and reports, in respect of his purchases or sales of a basic agricultural commodity, the amount and the disposition of the equalization fees paid or collected, and any other facts which it may deem necessary for carrying out the provisions of this section.

(d) Every person who, in violation of the regulations prescribed by the corporation, fails to pay or collect any equalization fee shall be liable for such fee and to a penalty equal to one-half the amount of such fee. Such fee and penalty may be receovered together in a civil suit brought by the corporation.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota:

Page 18, strike out lines 22 and 23.

Mr. NEWTON of Minnesota. Mr. Chairman, there being an objection to the request that I made for two additional minutes in order that the gentleman from Iowa [Mr. HAUGEN] or the gentleman from Minnesota [Mr. CLAGUE] or some one else on the committee might answer the question, I would like to have it answered at this time.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes; for that purpose.

Mr. SHALLENBERGER. Of course, the gentleman, who is familiar with the grain business, knows that every buyer and miller and elevator man, as soon as he buys from the farmer, protects himself by hedging and selling it on a future market to protect himself. No matter whether the price goes up or down, he protects himself. So long as they have an open market in which the miller or grain buyer can sell, he can protect himself and hedge himself. This does not protect that market. However it may vary under this bill, yet the miller or grain dealer will protect or hedge himself under this bill.

Mr. NEWTON of Minnesota. I do not agree with the gentleman. I do think this does away with the open market. I do not think there will be any fluctuation during the month period on grain, excepting cash wheat, and of course the premium wheat has but little relationship to the futures market.

Mr. SHALLENBERGER. Will the gentleman yield for one other question?

Mr. NEWTON of Minnesota. Yes.

Mr. SHALLENBERGER. I have just discussed this very question with two of the leading grain dealers from Nebraska, who listened to the debate on the floor. I put this question up to them, and they insist to me that so long as they have an open market they can protect themselves in that way. They assure me that if the corporation maintains an open market they can hedge and protect themselves.

Mr. NEWTON of Minnesota. Assuming that the gentleman is right about that, that does not meet the situation of the miller who in a prudential way has protected himself by hedges, but he must deliver, after the market has risen, at the advanced price.

Mr. SHALLENBERGER. If you have made a contract and the price has advanced, the other fellow has to deliver to you; and you protect yourself at one end of the proposition or at the other.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. BURTNESS. Of course, the gentleman realizes that the fluctuations in commodities will be so small that the danger will be slight, so that the elevator man or anybody else will not be in danger, as he is now, from the hedging process; and I am sure that no elevator company or miller or anyone else can hedge to a degree of absolute perfection or certainty.

Mr. NEWTON of Minnesota. I am sorry I can not yield further. The gentleman does not meet the situation. I referred to the initial advance made in the first instance, when the present price is raised to the ratio price, so that the miller on his hedging contract will have to deliver or settle upon the advanced domestic price. I propounded the question as to whether he would be protected by this legislation; and if so, where?

Mr. BURTNESS. You are referring to contracts not made after the law goes into force but contracts made now?

Mr. NEWTON of Minnesota. Yes. Here is a miller who prudently hedges his transactions so that, we will say, he must deliver or settle on his contract on the 1st of July.

We will assume the bill passes, say, at the end of this week. Now, he must deliver on his hedged contract or settle on that basis at the new market price of it, $1.50; is not that so?

Mr. HAUGEN. Well, if there is a sale, he pays the equalization fee. He does that whenever the sale takes place, but the contract is not a sale.

Mr. NEWTON of Minnesota. No; but he must deliver his wheat, which he does not want to do, because he bought it not for speculative purposes but to mill; so he has got to settle, and if he settles he must settle by then buying wheat which costs him $1.50, instead of wheat which costs him $1. If the bill becomes a law, it should be so amended that from the wheat the producer has on hand or has contracted to buy when the emergency is declared there should be deducted, when the same is sold in the form of wheat or flour, the amount of any commodity, such as wheat, sold on future contracts or the amount of flour that the wheat sold on future contracts would produce.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto do now close.

Mr. JONES. Mr. Chairman, I move to amend that motion by having it close in five minutes. I have an amendment I would like to offer.

Mr. BLANTON. Mr. Chairman, I offer a substitute, that debate close in 10 minutes.

The CHAIRMAN. The gentleman from Texas moves as a substitute to the motion of the gentleman from Iowa that all debate close in 10 minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 8, noes 64.

So the substitute was rejected.

Mr. BLANTON. Mr. Chairman, I ask for a recapitulation.

Mr. ASWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ASWELL. How much time has been used on this section?

The CHAIRMAN. There have been five minutes of debate.

Mr. ASWELL. It is very extraordinary that the very heart of the bill can not be discussed.

The CHAIRMAN. That is hardly a parliamentary inquiry.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventeen Members are present, a quorum.

The question is now on the amendment offered by the gentleman from Texas [Mr. JONES] to close debate in five minutes.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 32, noes 51.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I move as an amendment that debate close in two minutes.

Mr. DOWELL. Mr. Chairman, I make the point of order that the gentleman's amendment is dilatory.

Mr. BLANTON. It is not dilatory. We want some debate on this section. I have moved that debate close in two minutes, and that is a legitimate motion. We have had only five minutes of debate on this section.

Mr. MOORE of Virginia. Mr. Chairman, I think we are entitled to debate that point of order.

The CHAIRMAN. The Chair does not care to hear any debate on it. If this matter were continued very long, the Chair might hold it dilatory, but for the present the point of order is overruled. The question is now on the amendment to the motion of the gentleman from Iowa offered by the gentleman from Texas that debate close in two minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 14, noes 67.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

Mr. DOWELL. Mr. Chairman, I make the point of order that the motion is clearly dilatory, and that it is made for the purpose of filibustering and defeating the bill.

Mr. BLANTON. The Chair can not hold that the motion is dilatory. It is now 10 minutes of 5 o'clock, and we should rise.

The CHAIRMAN. It is immaterial what the Chair thinks about it, but the Chair does not feel that he is justified in so holding. The question is on the motion of the gentleman from Texas that the committee do now rise.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 17, noes 70.

So the motion was rejected.

The CHAIRMAN. The question is now on the motion of the gentleman from Iowa that debate on this section and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 72, noes 5.

So the motion was agreed to.

The CHAIRMAN. The question is now on agreeing to the amendment offered by the gentleman from Minnesota [Mr. NEWTON].

The question was taken, and the amendment was rejected.

Mr. JONES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. JONES: Page 19, line 6, after the word "producer," insert the following: "*Provided*, That as to wheat, cattle, sheep, and swine the equalization fee shall be paid, under such regulations as the corporation may prescribe, by every purchaser (or the person making the purchase on his account) upon every sale or other disposition (as defined in section 206) of such agricultural commodity by or on account of the producer, provided the fee may be deducted from the price and receipt issued to such producer."

Mr. JONES. Mr. Chairman, I ask unanimous consent to proceed for three minutes to explain the amendment.

Mr. HAUGEN. I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

The Clerk read as follows:

EQUALIZATION FUND AND DIVIDENDS

SEC. 204. (a) In accordance with regulations prescribed by the corporation there shall be established in the treasury of the corporation for each basic agricultural commodity and for each operation period an equalization fund, into which the proceeds of all equalization fees for such operation period in respect of such commodity shall be deposited.

(b) From such fund there shall be disbursed—

(1) All operation expenses of the corporation in respect of such commodity attributable to such period; and

(2) All losses of the corporation from its transactions in respect of such commodity attributable to such period.

(c) At such times as the corporation deems advisable after the expiration of such operation period and under such regulations as it may prescribe, the corporation shall distribute ratably any balance remaining in such fund to the persons by or on account of whom such equalization fees have been paid. Any money remaining in such fund shall be transferred to the equalization fund of such commodity for the next operation period or, if the operations of the corporation in respect of such commodity have terminated, shall be transferred to the treasury of the corporation to be used until the termination of the existence of the corporation for such purposes as the corporation may direct.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have great respect for the Secretary of Agriculture, whom I have the honor of knowing fairly well, but the Secretary has not been in position to consider the questions that relate to the validity of this measure. The Solicitor of the Agricultural Department has furnished a letter which indicates his misgivings as to whether it is valid or not.

The equalization-fee provisions have just been read.

Up to this time the producer of wheat, for instance, has been able to make his own contract for the sale of his product in any manner he may think proper. The effect of these provisions that have just been read is to restrain him in the matter of selling his product and to interfere with his right to contract therefor. The common transaction as affected by this bill may be illustrated:

The producer has 1,000 bushels of wheat to sell. Unless he sells it for feed or seed, the equalization fee is a charge to which he has to submit, and if he does not submit to it he is subject to serious penalties. This is an absolutely new departure in any legislation that has ever been proposed to Congress, and I will ask any gentleman who is seriously considering the matter where he finds the warrant for such a step as that.

You gentlemen are familiar with the Constitution, many of you much more so than I am. You know the prohibitions contained in the fifth amendment, which apply to the Federal Government, and you know that those prohibitions prevent the Federal Government from interfering with the right of private contract. The courts have said so time and time again, and any gentleman who votes for the particular portions of this bill that have just been read does it with full knowledge of the fundamental law and with full knowledge of the construction which the court has placed upon that law.

Mr. TINCHER. Will the gentleman yield?

Mr. MOORE of Virginia. No, sir; not just now.

Mr. TINCHER. I thought the gentleman asked if any member of the committee had any legal justification for the position we have taken in this bill. I thought you challenged the committee.

Mr. MOORE of Virginia. I respectfully challenge the view of the committee, if the committee thinks that the provisions to which I am alluding are tenable.

Mr. TINCHER. I wanted to tell the gentleman wherein I think I can convince him by his own statements heretofore made that we are within the Constitution.

Mr. MOORE of Virginia. I have read the 52 pages of discussion of the constitutional aspects of the measure filed with the majority report. I do not know the authorship of that brief, but, as I said a moment ago, as soon as I read the letter of the Solicitor of the Department of Agriculture I realized the doubts which fill his mind.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. ASWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for five additional minutes.

Mr. HAUGEN. Does the gentleman from Virginia want more time?

Mr. MOORE of Virginia. I would like five minutes more.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes and that the gentleman from Virginia may have the five minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. RAINEY. Reserving the right to object, I would like to have five minutes.

Mr. HAUGEN. Can not the gentleman get in on the next section?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Virginia. I am very much obliged to my friend, the chairman of the committee.

A little while ago Congress, in dealing with a matter in the District of Columbia, where the jurisdiction of Congress is much more complete than it is with reference to matters concerning the States, passed a minimum wage law for the District. It did not fix the price of agricultural products, but it fixed the wages of labor, which is equivalent action. That was what the legislation sought to accomplish. The court condemned the law on the ground that it was prohibited by the fifth amendment, and this was the view of the court according to the syllabus of the decision:

That the right to contract about one's affairs is part of the liberty of the individual protected by the fifth amendment is settled by repeated decisions of the court.

Let me repeat that the authority of Congress over the District is more complete than over the States. For example, it has a police power in respect to the District, and can base legislation on the existence of an emergency, which it can not exert so far as the States are concerned.

And yet Congress is to say to the farmer, who wishes to sell his wheat for the ratio price or for more or less than the ratio price, that he can not do it unless he burdens himself with the equalization charge, and that if he fails to observe the provisions in respect thereto he is liable to fine or imprisonment or to both.

If there is anybody who can justify that, I think the seriousness of the matter entitles us to know the ground of justification, and I think the debate ought to be protracted sufficiently to give that opportunity.

Gentlemen say the equalization fee is a tax. Is it a tax? The Supreme Court said in the second Child Labor case, where a so-called tax was imposed, that it would scrutinize the law to determine whether it was in truth a tax, and it answered the question in the negative.

Mr. SINNOTT. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. SINNOTT. Was not the real comment of the court in that case that under the guise of a tax they were trying to regulate manufacturing in the State?

Mr. MOORE of Virginia. Yes; but the gentleman will not say that this equalization fee is a tax. It is not a tax of any kind, a license tax or a tax of any other character. It is not to be imposed by the Government; it is to be imposed by a corporation. It is not to be covered into the Treasury of the United States; it is to go into the coffers of the corporation and may be used to pay liabilities incurred by the corporation for which the Government is not to be responsible.

Mr. VOIGT. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. VOIGT. I concur in the gentleman's argument, and it will be noticed that the bill on its face does not purport to be a taxing measure.

Mr. MOORE of Virginia. Of course not, and of course there is no man on the floor who would stand before the Supreme Court and contend that the bill proposes to regulate commerce among the States or with foreign nations. He would have to admit that it is a price-fixing measure, not authorized by the Constitution, and that the fifth amendment to the Constitution is palpably violated. [Applause.]

Mr. KINCHELOE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-eight Members present, a quorum, and the Clerk will read.

The Clerk read as follows:

SEC. 205. It shall be the duty of any governmental establishment in the executive branch of the Government, upon request by the corporation, or upon Executive order, to cooperate with and render assistance to the corporation in carrying out the provisions of this title and the regulations of the corporation.

Mr. TINCHER. Mr. Chairman, I move to strike out the last word. I do it for the purpose of answering briefly the argument made by the gentleman from Virginia [Mr. MOORE] in which he simply states that there was not constitutional warrant for the passage of this bill. Of course the committee had the Constitution before us in acting on this law, and we do not have to go further than the gentleman from Virgina [Mr. MOORE] for convincing arguments that the act is absolutely constitutional. This act is based on the fact that an emergency exists and the Supreme Court of the United States has said in the Washington or District of Columbia rent act that so long as an emergency exists by reason of the war, or so long as an emergency exists, we can have regulations of that kind. It has been but two weeks since the gentleman from Virginia stood on the floor and begged this Congress, in the face of the decision which said the emergency had expired, to reenact the rent law and send it back to the Supreme Court. [Applause.] I said inasmuch as the court said the emergency had expired we could not pass it. I know that if this Congress can pass a law for the people of the District of Columbia by reason of an emergency it can pass it for the American farmer. I know the provisions of the Constitution as well as the gentleman from Virginia, although I have not the power to make it pliable to my wishes as he has. [Applause.]

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and amendments thereto do now close.

Mr. BEGG. Mr. Chairman, I move to amend the gentleman's motion by making it two minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the section and amendments now close, and the gentleman from Ohio moves to amend by making it two minutes. The question is on the amendment of the gentleman from Ohio.

The amendment was considered and rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

DEFINITIONS

SEC. 206. As used in this title—

(a) The term "sale" means an exchange for money, other property, or money and other property, or an exchange for credit.

(b) In the case of wheat, rice, and corn, the term "sale or other disposition" means—

(1) The first sale of wheat, rice, or corn, after the declaration of a special emergency in respect thereof, for milling or other processing for market, for resale, or for delivery by a common carrier; and

(2) The milling or other processing for market of wheat, rice, or corn, if not acquired in pursuance of a sale described in paragraph (1) of this subdivision.

(c) In the case of cattle, sheep, and swine, the term "sale or other disposition" means—

(1) The first sale of cattle, sheep, or swine, after the declaration of a special emergency in respect thereof, destined for slaughter for market without intervening holding for feeding (other than feeding in transit) or fattening; and

(2) The slaughter for market of cattle, sheep, or swine, if not acquired in pursuance of a sale described in paragraph (1) of this subdivision.

(d) In the case of flour, wool, and food products of cattle, sheep, or swine, the term "sale or other disposition" means the first sale, after the declaration of a special emergency in respect thereof, by the producer.

(e) The term "sale" does not include—

(1) A transfer to an association of producers of agricultural commodities, whether or not incorporated, for the purpose of sale by such association on account of the transferor;

(2) A transfer of title in pursuance of a contract entered into before, and at a specified price determined before, the declaration of the special emergency;

(3) Sales, not exceeding in the aggregate $100 per year, between producers, which the corporation, under such regulations and upon such terms and conditions as it may prescribe, exempts.

(f) In the case of wheat, rice, corn, cattle, sheep, and swine, the term "producer" means the person who first makes a sale or other disposition thereof.

Mr. JONES. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 22, line 13, after the word "producer," strike out the period and insert a comma and the following: "and in case the same has passed from the hands of the producer prior to the declaring of such an emergency, it shall mean the first sale after the declaration of a special emergency in respect thereof by the owner; provided, the corporation may in its discretion exempt any portion or all of the commodities owned in good faith by retail dealers at the time of the declaring of such special emergency, from the operation of this clause."

Mr. JONES. Mr. Chairman and gentlemen of the House, I am not trying to delay matters, but this is a very important amendment, and I would like the attention of the House in relation to it.

If the gentlemen who are interested in this bill will notice, a great part of the argument leveled against the bill has been the fact that the packers have some $200,000,000 worth of processed products on hand. If the bill works out these products will, of course, have an increased value the moment an emergency is declared. This bill requires the payment of the fee on flour, wool, and food products of cattle, sheep, and swine, if they are in the hands of the producer. The packers control a hundred different other corporations and subsidiary organizations, and all they have to do to escape the payment of the fee is to transfer these products to the hands of some corporation and then the products will not be in the hands of the producer. Therefore, on this whole $200,000,000 worth of products, or $200,000,000 or $150,000,000 worth, whatever it may be, they will escape the payment of the fee. I provide, in addition to what is in the bill, that even though the products are not in the hands of the producer at the time the emergency is declared, the fee shall be paid by the corporation or company which owns them, even though that corporation or company be not the producer.

The owner will get the benefit of it, so if the corporation transfers $50,000,000 worth of meats to some other corporation, and the meats are not in the hands of the producer, they would still be in the hands of the owner, and if my amendment were adopted, would be subject to the fee. The owner of the processed products would get the benefits of the bill. Why should he not pay the fee? In order that there might not be a fee leveled on a little cross-roads merchant who happened to have $25 worth of beef, I give the corporation under the terms of my amendment the right to exempt a retail dealer, if he holds his stock in good faith; so that all this amendment would do would be to compel the packer or the processer, who has great stocks on hand, and who gets the benefit, whatever it may be, of the establishment of the ratio price, to pay that fee just the same as the producer, and why should he not? Can any man who sits on the floor of this House tell me a good reason why the farmer, the stock raiser, and the wheat grower should pay an equalization fee, and the packer, the miller, and the great wholesaler, who have great stocks of these goods on hand, should not pay the fee?

Mr. BEGG. Mr. Chairman, I rise in opposition to the amendment.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon the section and all amendments thereto do now close.

Mr. BEGG. I do not think that is quite fair. I was recognized once by the Chair.

The CHAIRMAN. That is true. The gentleman from Texas claimed the floor as a member of the committee, and following the usual practice the Chair then recognized him, but the statement of the gentleman from Ohio is correct.

Mr. BEGG. Does the Chair recognize me for five minutes?

The CHAIRMAN. No; the Chair will have to put the motion of the gentleman from Iowa if he insists upon it. The question is on the motion of the gentleman from Iowa that all debate upon this section and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 71, noes 34.

Mr. BEGG. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. BEGG and Mr. HAUGEN to act as tellers.

The committee again divided; and the tellers reported—ayes 77, noes 30.

So the motion was agreed to.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. BEGG] may proceed for three minutes.

The CHAIRMAN. The Chair will first put the amendment of the gentleman from Texas [Mr. JONES].

Mr. BLANTON. But the gentleman from Ohio wants to be heard upon it.

Mr. BEGG. I do not want any three minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Ohio may proceed for three minutes. Is there objection?

Mr. DICKINSON of Iowa. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken, and the amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer an amendment on page 21, line 17, to strike out the words "rice and corn."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 21, line 17, strike out the words "rice and corn."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. BEGG. Mr. Chairman, I offered another amendment, on page 21, line 19, to strike out the word "wheat."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 21, line 19, strike out the word "wheat."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 12, noes 63.

So the amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer another amendment; on page 21, line 24, to strike out the words "or corn."

Mr. BLANTON. Mr. Chairman, I make the point of order that that is plainly dilatory.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 21, line 24, strike out the words "or corn."

Mr. BLANTON. Mr. Chairman, that is plainly dilatory, in view of the fact that the gentleman from Ohio served notice that he would make it cost five minutes of time, because he could not get them.

Mr. DOWELL. Mr. Chairman, the gentleman has already demonstrated that he is filibustering against the bill, and the Chair can readily see that this is dilatory.

Mr. BEGG. Mr. Chairman, I desire to be heard upon the point of order.

Mr. WEFALD. Mr. Chairman, I make the further point of order that the amendment should be sent to the desk in writing.

The CHAIRMAN. The Chair sustains that point of order.

Mr. BEGG. Then, Mr. Chairman, I send an amendment to the desk in writing.

Mr. DOWELL. Mr. Chairman, I make the point of order that the amendment is clearly dilatory, and because the gentleman said that he intended to take up the time of the House.

Mr. BEGG. Oh, the gentleman is not stating it correctly. If the gentleman wants to state it accurately, he should stick to the truth.

Mr. DOWELL. I am stating the truth, and the gentleman knows that he is trying to defeat the bill.

Mr. CHINDBLOM. Mr. Chairman, I demand the regular order.

Mr. BLANTON. And besides, Mr. Chairman, this is an attempt to run a steam roller over the committee. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 21, line 19, strike out paragraph (1).

The CHAIRMAN. The amendment seems to be offered in the name of the gentleman from Minnesota [Mr. NEWTON].

Mr. BEGG. It has the wrong name on the top of it.

Mr. DOWELL. Mr. Chairman, I insist upon my point of order that this is dilatory.

The CHAIRMAN. In view of the particular situation which exists, and which it is not possible for the Chair to escape noticing, the Chair thinks that the amendment is dilatory, and so

holds. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

TITLE III.—MISCELLANEOUS PROVISIONS

ADJUSTMENT OF IMPORTS

SEC. 301. (a) Whenever, after the declaration of a special emergency in respect of any agricultural commodity, the President of the United States finds that the importation into the United States of any such commodity, or any derivative thereof or competitive substitute therefor, is increasing materially or is likely to increase materially the losses of the corporation in respect of such commodity, he shall by proclamation declare such fact.

(b) Except as provided in subdivision (c), it shall be unlawful, after such proclamation and until the termination of such special emergency, or until otherwise ordered by the President or Congress, to import into the United States any such commodity, or any such derivative or substitute specified in such proclamation, except under such regulations and subject to such limitations and exceptions as the President may prescribe.

(c) If the President ascertains what rate of duty added to the then existing rate of duty on such commodity, derivative, or substitute would be sufficient to prevent such losses, he shall in such proclamation declare such fact, and on and after the day following such proclamation and until the termination of such special emergency, or until otherwise ordered by the President or Congress, the rate of duty so ascertained shall be levied, collected, and paid upon such commodity, derivative, or substitute when imported, in addition to, and in the same manner as, the then existing rate of duty; but in no case shall any rate of duty under the then existing tariff law be reduced.

Mr. KINCHELOE. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. Earlier in the afternoon the gentleman from Arkansas [Mr. OLDFIELD] notified the Chair that he wanted to offer an amendment at this point, and the Chair thinks he ought to recognize the gentleman.

The Clerk read Mr. OLDFIELD's amendment, as follows:

Page 24, after line 8, insert the following new section:

"SEC. 302. (a) In order further to secure the equalization of prices between agricultural commodities and other commodities and to relieve the general emergency declared in section 1 of this act by a readjustment and lowering of the rates of duty under Title I of the tariff act of 1922 wherever the Secretary of the Treasury finds in the case of any imported article that the percentage of increase of the prevailing selling price of the corresponding domestic article over the pre-war selling price of such domestic article is greater than the percentage of increase of the current all-commodities price over the pre-war all-commodities price he shall determine the difference between such percentages of increase, and the amount of duty otherwise payable upon such imported article shall be reduced by a percentage thereof equal to such difference in percentage of increase.

"(b) The Secretary of the Treasury, in order to comply with the provisions of subdivision (a), shall from time to time, under such regulations as he may prescribe, ascertain—

"(1) The current all-commodities price list published by the Secretary of Labor in accordance with paragraph (3) of subdivision (b) of section 4 of this act;

"(2) The pre-war all-commodities price, computed by the Secretary of Labor, in accordance with paragraph (1) of such subdivision;

"(3) The American selling price (as defined in subdivision (f) of section 402 of the tariff act of 1922) of the corresponding domestic article (referred to in this section as the 'prevailing selling price'); and

"(4) The average American selling price of such domestic article during the years 1912–13 (referred to in this section as the 'pre-war selling price').

"(c) As used in this section the term 'corresponding domestic article,' when used in reference to any imported article means an article manufactured or produced in the United States of a class or kind similar to or comparable with the imported article.

"(d) This section shall not apply to (1) articles dutiable under paragraph 60 of Title I of the tariff act of 1922 (opium); (2) articles dutiable under schedule 6 of such act (tobacco and manufactures of tobacco); (3) articles dutiable under schedule 7 of such act (agricultural products and provisions); nor (4) articles dutiable under schedule 8 of such act (spirits, wines, and other beverages)."

Mr. TINCHER. Mr. Chairman, I make the point of order that the amendment is not germane to the agricultural relief bill and is an attempt to revise the tariff laws in the way of reduction. It deals with the tariff entirely and is not germane to an agricultural relief bill. If the gentleman desires, however, I will reserve the point of order.

The CHAIRMAN. The gentleman from Kansas reserves his point of order.

Mr. OLDFIELD. Mr. Chairman and gentlemen of the committee, this is a very complicated amendment. It was prepared by our drafting service, and I know of no better place to have an amendment prepared, especially if it is a complicated one. Now, the effect of this amendment, and the only effect, is to bring down the tariff on the products which the farmers have to buy and have to use. For example, suppose the index price on an article like cloth is up to 225, and you are trying to bring the farmers' products up to 150. The difference between 150 and 225 is 75. On that particular article, under this amendment, you would reduce the tariff by 75 per cent, and when you bring down the price of manufactured articles to the farmers of the country you automatically increase the purchasing power of the products which are produced on the farm. Now, that is all there is to this amendment. I would be very glad, indeed, very happy, to support this bill whole-heartedly if we could have this provision in it, because I believe that the eastern manufacturing districts of the country ought to be willing at this time to make some sacrifices for the farmers, and especially the farmers of the Northwest. I believe that we ought to get together here and pass this bill with this amendment, and then the business interests of the country, the manufacturing interests of the country, could say to the farmers, "We made sacrifices for you," and they ought not to hesitate to make those sacrifices, because you are calling on the people of other sections of the country, whom this bill is liable to hurt, to make sacrifices. In other words, the cotton farmers of the South will dislike very much to have to pay an additional $2.50 on a barrel of flour. They raise cotton and sell cotton and buy flour with it. Therefore, if the cotton farmers of the South can make that sacrifice it seems to me that the manufacturers of the East ought to make a sacrifice and say, "Yes; we will agree that you bring down the tariff on the things we produce and you buy," and that automatically increases the purchasing power of the farmer's wheat and the purchasing power of his hogs and of his cattle and everything that the farmer produces in the country. That is all I care to say, except I would like very much to extend my remarks in the RECORD in regard to this amendment.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The gentleman from Arkansas [Mr. OLDFIELD] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. OLDFIELD. I yield to the gentleman from California.

Mr. RAKER. How would that apply to shoes?

Mr. OLDFIELD. Of course, shoes are not on the dutiable list. They are on the free list. But clothing, hosiery, underwear, everything almost, is on the dutiable list.

Mr. RAKER. It would include harness?

Mr. OLDFIELD. All but some of the materials of harness, such as steel. It would help the farmers as to farming implements, because the things that go to make up the farming implements are on the dutiable list, while the implements themselves are on the free list. Steel is one of the elements that enter into articles that are on the dutiable list; things which have been increased in price by the tariff, all the things, almost, that the farmers have to buy. There are many things that it does affect which the farmers have to buy. It applies only to those things.

THE FARMERS AS SELLERS AND AS PURCHASERS

The following statement gives a list of 51 articles of common necessity with their relative prices before the war and in March last. (Taken from the report of the Government known as its "Index of Wholesale Prices of Commodities.") These prices are compared with the pre-war and present prices of farm products so that the present purchasing power of farm products as to these 51 articles may be found.

The third column of figures gives the present prices of such 51 articles in percentages of their prices before the war. That is, 100 cents worth of salt before the war now costs 244 cents; so in the Government index of prices the pre-war price is set down as 100, and the present price of a like amount at 244, for easy comparison by percentage. In the case of salt, then, the present price exceeds the pre-war price by 144 per cent. And so with each of the other 50 articles. Thus, knives and forks have gone up from the pre-war price of 100 to 260.9, or by 161 per cent.

The same Government report shows that prices moved from 100 before the war to 107.3 for the following 11 farm products, which represent well over two-thirds of farm production: Hides, hogs, barley, corn, rye, oats, lard, beef, cattle, rice, eggs.

Index prices, March, 1924; 1913=100

Corn	126.1
Hides	53.4
Hogs	87.5
Rye	107.6
Barley	120.3

Oats	127.9
Wheat	120.9
Beef cattle	122.7
Lard	104.9
Eggs	98.7
Rice	109.1
Average—simple	107.3

That is, the prices of these farm commodities, taken together, advanced from an average of 100 before the war to an average of 107.3 in March last, while the weighted average prices of all commodities advanced from 100 to 150. Meanwhile, the prices of the 51 articles set forth below advanced from 100 to the figures given in the third column of figures—generally much above the general average of 150.

The last column gives the proportion of each of such 51 articles which the farmer's present dollar will purchase as compared with what it would purchase before the war.

The second column of figures gives the ad valorem tariff rates on these 51 high-priced articles, such tariff rates having been enacted to maintain the prices of such articles.

Comparison of price indexes of certain commodities and 11 farm products, with their tariff rates under tariff act of 1922

[Commodity index for March, 1924. Average for all commodities, 150. Average for 11 farm commodities, 107.3. Average for highly protected commodities, 226.6]

Commodity	Tariff rate		Price index, March, 1924 (1913=100)	Exceeds index price of 11 farm commodities (107.3)	Purchasing power of 11 farm products
	Legal rate	Equivalent ad valorem			
				Per cent	*Per cent*
The kitchen:					
Cutlery—					
Carvers, 8-inch, per pair, factory	8 cents or 16 cents each plus 45 per cent.	65 to 69 per cent	180.0	67.8	59.6
Knives and forks, per gross, factory	do	do	260.9	143.2	41.1
Chair—					
Hardwood, per dozen, Chicago	33⅓ per cent	33⅓ per cent	276.9	158.1	38.8
Salt—					
American, medium, per barrel (280 pounds), Chicago	11 cents per 100 pounds	21.94 per cent	244.1	127.5	44.0
Sugar (per pound)—					
New York, granulated, in barrels	1.912 cents per pound	(1)	198.8	85.3	54.0
Vegetable oils—					
Soya bean, crude, in barrels, per pound, New York	2½ cents per pound	42.09 per cent	196.1	82.8	54.7
Clothing:					
Woolen and worsted goods, factory—					
Flannel, white, 4/4 Ballard Vale No. 3, per yard	45 cents per pound plus 50 per cent equals.	71.92 per cent	215.8	101.1	49.7
Suiting, per yard—					
Clay worsted, diagonal, 16-ounce	do	do	218.2	103.4	49.2
Middlesex, wool-dyed, blue, 16-ounce	do	do	228.8	122.6	44.9
Serge, 9½-ounce	do	do	219.0	104.1	49.0
Underwear—					
Men's union suits, 33 per cent worsted, per dozen	do	64.61 per cent	299.5	179.1	35.8
Women's dress goods, per yard—					
French serge, 35-inch	do	71.02 per cent	234.9	118.9	45.7
Poplar cloth, cotton warp	do	do	192.1	79.0	55.9
Sicilian cloth, cotton warp, 50-inch	do	do	196.3	82.9	54.7
Yarn, per pound—					
Crossbred stock, two thirty-seconds	36 cents per pound plus 40 per cent equals.	65.63 per cent	212.4	97.9	50.5
Half-blood, two-fortieths	do	do	197.1	83.7	54.4
Fine, domestic, two-fiftieths	do	do	232.4	116.6	46.2
Wool, Ohio, per pound Boston—					
Fine clothing, scoured	31 cents per pound clear content; if imported on skin, 30 cents per pound.	71 per cent	214.4	99.8	50.0
Fine delaine, scoured	do	do	242.5	126.0	44.2
Half-blood, scoured	do	do	244.8	128.1	43.8
One-fourth and three-eighths grades, scoured	do	do	208.8	94.6	51.4
Leather—					
Glazed kid, black, top grade, per square foot, Boston	For shoes, free; for gloves	20 per cent	269.6	151.3	39.6
The bedroom:					
Blankets, factory—					
Cotton, colored, 2 pounds to the pair, per pair	25 per cent	25 per cent	259.5	141.8	41.3
Woolen, 4 to 5 pounds to the pair, per pair	30 cents per pound plus 35 per cent equals.	53.56 per cent	171.7	60.0	62.5
Chair, all gum, leather slip seat, per 6, factory	33⅓ per cent	33⅓ per cent	200.0	86.4	33.7
Sheeting, bleached, 10/4, factory, Pepperell, per yard	9.45 cents per pound	No imports	220.1	105.1	48.8
Wamsutta, P. L., per yard	9 cents per pound	do	294.5	174.5	36.4
Ticking, Amoskeag, A. C. A., 2.65 yards to pound, per yard, factory	7.7 cents per pound	do	208.0	93.8	51.6
Sitting room:					
Furniture—					
Rocker, quartered oak, per chair, Chicago	33⅓ per cent	33⅓ per cent	239.0	122.7	44.9
Carpets, per yard, factory—					
Axminster, Bigelow	40 per cent	40 per cent	247.2	130.4	44.9
Brussels, Bigelow	do	do	234.1	118.2	45.8
Wilton, Bigelow	do	do	209.3	95.1	51.3
Dining room:					
Tableware, per dozen, factory—					
Glass nappies, 4-inch	50 per cent to 55 per cent	50 per cent to 55 per cent	200.0	86.4	53.7
Glass pitchers, ½-gallon	do	do	312.5	191.2	34.3
Glass tumblers, ½-pint	do	do	166.7	55.4	64.4
Plates, white granite, 7-inch	45 per cent	45 per cent	226.6	111.2	47.4
Teacups and saucers, white granite	do	do	236.8	120.7	45.3
Furniture, factory—					
Chair, all gum, leather seat (slip), per 6	33⅓ per cent	33⅓ per cent	220.0	105.0	48.8
Building:					
Wire, per 100 pounds plain fence, annealed, Pittsburgh	¾ cent per pound	22.97 per cent	191.7	78.6	56.0
Lead, pig, per pound, New York	2½ cents per pound	45.05 per cent	211.1	96.7	50.8
Lead pipe, per 100 pounds, New York	2½ cents per pound	20.12 per cent	207.2	93.1	51.8
Pipe, cast-iron, 6-inch, per net ton, New York	20 per cent	20 per cent	267.9	149.7	40.1
Slate, roofing, per 100 square feet, f. o. b. quarry	15 per cent	15 per cent	227.0	111.6	47.3
Glass, plate, New York—					
3 to 5 square feet, per square foot	17½ cents per square foot	32.77 per cent	232.4	116.6	46.2
5 to 10 square feet, per square foot	20 cents per square foot	38.15 per cent	229.3	113.7	46.8
Window, American, f. o. b. works—Single A, per 50 square feet	1½–2½ cents per pound	25 per cent and 60 per cent	185.0	75.2	57.1
Linseed oil, per gallon, New York	3⅛ cents per pound	38.21 per cent	200.4	86.8	53.5
White lead, American, in oil, per pound, New York	2½ cents per pound	27.26 per cent	221.9	106.8	43.4
The medicine closet:					
Epsom salts, U. S. P., in barrels, per 100 pounds, New York	½ cent per pound	64.45 per cent	227.3	111.8	47.2
Phenol, U. S. P. (carbolic acid), per pound, New York	55 per cent plus 7 cents per pound.	110.04 per cent	315.0	193.6	34.1
Alum, lump, per pound, New York	¾ cent per pound	38.81 per cent	200.0	86.4	53.7
Average		50.26 [3]	[2] 226.6	[2] 111.2	[2] 48.3

[1] Ad valorem rate on bulk of Cuban imports equals 50 per cent.

[2] Average of 48 commodities.

[3] Average of 51 commodities.

The average index prices, as stated, for all commodities rose from 100 pre-war to 150 in March, 1924. While the foregoing farmers' index price of 107.3 is 40 per cent short of this average of 150, the average index price, 226.6, of these 51 articles exceeds this farmers' average index price by 111 per cent and the general average of all commodities by 51 per cent. The average ad valorem tariff on these higher-priced articles is 50.26 per cent. Observe that the prices of these 51 articles exceed the general average of 150 by about the same percentage as the tariff, while this farm dollar can purchase less than one-half, 48.3 per cent, as much of them as before the war.

Let not complacent townsfolk think that these tariff-maintained high prices concern the farm folk alone. All persons whose salaries or wages have not gone up to match these high prices are similarly pinched. So also are the beneficiaries under pre-war insurance policies or superannuated persons living on pensions and all persons holding bonds or securities issued before the war.

The question is raised whether these high tariffs, designed to maintain these excessive prices, are not fundamentally unjust. Has the lawmaker the right to so greatly prefer or discriminate in favor of one set of producers at the expense of other equally worthy producers? Is not the lawmaker through such tariffs directly confiscating just so much of the farmer's labor and property in favor of the sellers of such high-priced commodities? Why should such "protection" tariffs be maintained in favor of these high-priced articles if such tariffs are not intended to maintain these very prices, although the farmer is compelled to accept European prices for his products even when selling to these high-price beneficiaries? Why should the lawmaker continue such tariff supports for exorbitant prices?

It should be noted, furthermore, that these price comparisons are based upon market prices in the principal cities. Because of the increase in freight rates and expenses of distribution, the spread between market and farm prices is considerably greater than it was during 1909–1913. A dollar at Chicago or New York, therefore, means much less at the farm than it did before the war. Thus, the freight rate upon wheat from Larimore, Minn., to Minneapolis in 1913 was 12 cents per 100 pounds, compared with 17.5 cents in 1923, an increase of 45.8 per cent; from Wichita, Kans., to Galveston it was 25 cents, compared with 44 cents, an increase of 76 per cent. The increase in freight rates upon other agricultural products ranges from 50 to 75 per cent.

This circumstance only infrequently applies, when at all, with the same force to the 51 articles with which the farm products are compared.

Mr. TINCHER. Mr. Chairman, I make the point of order, and I rely partly on the statements of the gentleman to show that the point of order is well taken.

The CHAIRMAN. The Chair is ready to rule. This bill is a bill "declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes." It seems to set up a corporation to do business in a particular class of commodities, namely, agricultural products. The particular part of the bill to which the amendment is offered as an additional section is "Title III, Miscellaneous Provisions," and deals with the adjustment of imports, giving the President of the United States the right under certain circumstances to change customs duties on certain products which might be imported into the country. The first section under this title, section 301(a), provides—and the committee will note the language—

> Whenever, after the declaration of a special emergency in respect of any agricultural commodity, the President of the United States finds that the importation into the United States of any such commodity, or any derivative thereof or competitive substitute therefor, is increasing materially or is likely to increase materially the losses of the corporation in respect of such commodity, he shall by proclamation declare such fact.

But this section is limited to agricultural commodities. The amendment of the gentleman from Arkansas [Mr. OLDFIELD] is an additional section, but which, of course, must be germane to the subject matter of the bill. It provides:

> SEC. 302. In order to secure the equal division of prices between agricultural commodities and other commodities and relieve the general emergency declared in section 1 of this act, by a readjustment and lowering of the rates of duty under Title I of the tariff act of 1922, whenever the Secretary of the Treasury finds in the case of any imported article that the percentage of increase of the prevailing selling price of the corresponding domestic article over the pre-war selling price of such domestic article is greater than the percentage of increase of the current or commodity price over the pre-war or commodity price, he shall determine the difference between such percentages of increase, and the amount of duty otherwise payable upon such imported article shall be by a percentage thereof equal to such difference in percentages of increase.

Thus the amendment offered by the gentleman from Arkansas deals with any article of any kind that may be imported into the United States. The bill is restricted to certain specified commodities, namely, agricultural commodities. The amendment deals with all commodities. For that reason the amendment is not germane, and the point of order is sustained.

Mr. KINCHELOE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. KINCHELOE: Page 24, after line 8, insert: "(d) The corporation shall have power to an amount or amounts not exceeding its sales in foreign markets to purchase in such foreign markets any goods except farm products, and to enter such goods into the United States free of tax or duty for sale or distribution in the domestic market at the best price obtainable, and shall give preference in the sale of such goods to cooperative market associations."

Mr. TINCHER. I reserve the point of order against the amendment, Mr. Chairman.

Mr. KINCHELOE. I do not think a point of order will stand against this amendment. This is another amendment in a sincere attempt to really help the farmers. This amendment provides that with the proceeds which this corporation receives from the sale of this exportable surplus in Europe it may turn around and invest them in any products, except agricultural products, which will be useful and beneficial to the American farmer, and bring them into this country free of duty, sell them in this country and give the preference of purchase to the cooperative marketing associations of this country.

You will notice that this bill gives the President of the United States plenary power to declare an embargo or a prohibitive tariff on any of these products in the bill, their derivatives, or their substitutes. They talk about hides being on the free list. The packers of this country, I presume, control six-sevenths of all of the hides in this country. Now, the President of the United States—because hides are derivatives of meat—is given the power to declare an embargo on hides. Who will be the beneficiaries of that? Why, the packers, of course, who have the great bulk of the hides in this country. Therefore the price of hides will go up, and, therefore, the price of shoes will go up, so that the American farmer, and other wearers of shoes in this country, will pay the higher prices.

Under the amendment I have offered, instead of having an embargo on the articles—other than agricultural products—which this corporation wants to buy in the world's market, the corporation can go and buy these products for the American farmers, bring them to this country and enter them free of duty and thereafter sell them.

I submit that if you are going to permit, which you are under this bill, the consumers of European foodstuffs to buy the foodstuffs produced by American farmers at a cheaper price, because of the action of this corporation in throwing them on the world market and the American farmer standing the expense of that in the equalization fee, then the American farmer should have the privilege, as he will under this amendment, of letting that corporation, whose expenses he is paying, have the right to take the proceeds which the corporation receives from the surplus products and buy those other products in Europe and bring them into this country in order that the American farmer may receive some little benefit by letting them in at the port of entry free of duty.

If you really want to do something for the American farmer through this bill—and the proponents of it say they do—you should adopt this amendment, because then you will be doing something that is of value to the American farmer by reducing the price of things he has to buy and thereby increasing the purchasing power of his dollar.

Mr. TINCHER. Mr. Chairman, I make the point of order that the subject matter of this amendment, which proposes the purchase of goods in foreign countries and then bringing them into this country, is not contemplated by the bill, and that the amendment is not germane.

Mr. KINCHELOE. Mr. Chairman, I want to be heard on that point of order.

Mr. SINNOTT. And, Mr. Chairman, I make the further point of order that it is not germane to the section.

Mr. KINCHELOE. If the Chair will indulge me, I want to be heard on the point of order. This amendment, I think, is not only germane but it is in a sense a restriction. Under subsections (a) and (b) of this section the bill gives the President of the United States the power to declare an embargo or a tariff as high as he thinks is necessary, upon what? Upon all the commodities mentioned in this bill on which the ratio price has been fixed and their derivatives and substitutes. Now, this comes in the way of a restriction—or, rather, an exception—and says to the President of the United States, "you may do that on everything," except what? On everything except what this corporation buys in Europe, other than agricultural products, and bring them to this country and enter them free of duty. It is not only germane but in a sense it is a restriction upon the powers of the President of the United States, and certainly it is in order.

Mr. HAWLEY. Mr. Chairman, in addition to the point of order already made this proposed amendment changes or may effect a change in every duty in the tariff schedule and change articles on the tariff schedule from the dutiable list to the free list. It effects a thoroughgoing revision of the tariff law, and is absolutely not germane to this bill.

The CHAIRMAN. Let the Chair ask the gentleman another question. Does the gentleman know of any place in this bill where this corporation is authorized to buy and import anything?

Mr. HAWLEY. I do not; and it diverts the money, which is to be used for the payment of the expenses of the corporation and then distributed among the farmers who sold the product, to another purpose.

The CHAIRMAN. The Chair is of the same opinion as that just expressed by the gentleman from Oregon that this amendment is not germane to the purpose of the bill. The Chair can find nothing in this bill that authorizes the corporation to buy and import anything, and especially the Chair finds nothing in the bill to which a provision that they may buy and import free of duty would be germane. The Chair therefore thinks the amendment is out of order.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

Mr. CHINDBLOM. Mr. Chairman, I make the point of order that there has been no debate on the section so far. All the debate so far has been under a reservation of a point of order or on the point of order. The gentleman from Kentucky spoke under a reservation.

Mr. NEWTON of Minnesota. And so did the gentleman from Arkansas [Mr. OLDFIELD].

Mr. CHINDBLOM. I submit to the Chair that there has been no debate under the rules.

The CHAIRMAN. There has been debate on the merits of the proposition. After consultation with the parliamentary clerk, this is a rather novel question; but where a reservation is made on a point of order and then the person offering the amendment is permitted to debate the merits of the proposition it seems to the Chair, as a matter of common sense, that that ought to constitute debate.

Mr. CHINDBLOM. I want to submit to the Chair that that is not recognition under the rules to debate the section.

The CHAIRMAN. That may be true; but the Chair will rule that there has been sufficient debate.

Mr. NEWTON of Minnesota. Let me call the Chair's attention to this situation: An amendment was first offered by the gentleman from Arkansas [Mr. OLDFIELD], and it was then within the right of the committee to make a point of order. They chose to reserve it, permitting the gentleman from Arkansas to speak upon a proposition that was not in order, and so held by the Chair. Then the gentleman from Kentucky [Mr. KINCHELOE] received recognition from the Chair, offered his amendment, and again the committee could have made a point of order, but they chose to reserve it. The committee had it within its power to act differently from what they did, and the effect of their action is to preclude amendments here which are legitimate and which will be held in order, and to preclude debate upon them.

The CHAIRMAN. That may be the effect of it; but the Chair heard two gentlemen discuss the merits of this proposition, and it was debated. Whether that constitutes a recognition under the rules or not the Chair is not advised, but will hold for the present that there has been sufficient debate to justify the motion.

The pending motion is that debate now close on this section and all amendments thereto.

Mr. NEWTON of Minnesota. Mr. Chairman, there is an amendment to that motion pending to limit it to five minutes.

The CHAIRMAN. The gentleman from Minnesota offers an amendment that all debate on this section and all amendments thereto close in five minutes.

The question was taken; and on a division (demanded by Mr. NEWTON of Minnesota) there were—ayes 50, noes 87.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. HAUGEN and Mr. NEWTON of Minnesota as tellers.

The committee again divided; and the tellers reported that there were—ayes 50, noes 82.

So the amendment to the motion was rejected.

The CHAIRMAN. The question now is on the motion to close debate.

The motion was agreed to.

The Clerk read as follows:

INFORMATION FOR PRODUCERS

SEC. 302. The corporation is hereby authorized and directed to inform producers that any material increase in production will lessen the benefits of the operations under this act by causing a corresponding increase in the losses of the corporation and decrease in the amounts of dividends.

Mr. BEGG. Mr. Chairman and gentlemen of the committee, I am only going to consume probably half of my five minutes, and I do this for the purpose of asking each of you to turn back to page 21 and read section 5. I tried my best to get just two minutes to call your attention to that language:

It shall be the duty of any governmental establishment in the executive branch of the Government upon request of the corporation to cooperate with and render assistance to the corporation in carrying out the provisions of this title and the regulations of the corporation.

Now turn back and see what the provisions of this title are—apportionment of expenses and losses of the corporation.

Any man who votes for this measure with that paragraph in it can not be sincere when he says this corporation is not intended to cost the Government anything at all. Either this corporation must make money or you can under that provision have your corporation call on the Secretary of the Treasury to make up all losses; and you are not only morally obligated but you are legally obligated to pay the bill—I do not care whether it is $1,000,000 or $1,000,000,000.

Now, I simply wanted to call your attention to that.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in three minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto close in three minutes——

Mr. SEARS of Florida. Mr. Chairman, a parliamentary inquiry. How much time did the gentleman from Ohio consume?

The CHAIRMAN. The Chair is putting a motion.

Mr. GRIFFIN rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GRIFFIN. I rise to move to strike out the section.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa limiting debate.

The question was taken, and the motion was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, when the debate on this bill began, more than a week ago, it was repeatedly asserted by the gentleman on the other side of the House that those who failed to vote for this bill showed thereby that they were not willing to support any measure which would afford relief to the farmer. At that time I did not attach much importance to that statement, but the days are slipping by and now we find ourselves in a situation where probably there will not be a vote on this bill until some time next week. As the matter now stands it appears to me that if any measure is enacted for the benefit of the farmer at this session it must be under this title and enacting clause. I shall therefore vote for the bill, but I do it simply because I wish to have something done for the benefit of the farmer, and I am willing that this bill should go to the Senate, where I am assured it will be amended.

I feel, however, that I owe it to myself, and certainly to the House, to say that my vote on this matter should not be taken as any indication of an approval of the bill in its entirety, although I think it could be amended so as to make it a useful bill. To do so would require a change in some of its principal features, and the supporters of the bill have shown that no amendments that affect these features will be tolerated. As it has become impossible to make any amendments to the bill here I

do not propose to be put in the attitude of one that is opposed to granting any relief for the farmer, and therefore shall vote in favor of sending it to the Senate.

Mr. Chairman, I have every reason, both personal and political, to support this bill unqualifiedly if I believed it would work successfully. I am one of those unfortunate individuals who, at this time, is land poor, and I have a class of land which, if any would be benefited, would be benefited by value of returns therefrom by the bill if it accomplished what its proponents claim for it. I come from an agricultural region where the farmers are now struggling against adverse circumstances, caused by the high prices of everything which they have to buy and by the heavy local taxes which they must pay. I sympathize with them in their misfortunes. We can mutually condole with each other. I want to help them in every possible way, but after studying the bill most carefully I do not believe it to be based on sound economics. On the contrary, I believe it violates principles which have heretofore been regarded as absolutely necessary to the financial well-being of the country, and, if I am correct in this, the bill will do harm rather than good to the whole country, including the farmer. Running through the whole course of history down to recent times we find that whenever economic laws have been violated the result has invariably been to injure the very people whom it had been expected would be benefited, and I feel confident that would be the result if this bill should become a law. I admit that my confidence has been shaken somewhat by the number of Members of the House, for whose judgment I have much respect, who have taken a different view, which they have expressed without the slightest doubt, and I regret especially to differ with my esteemed colleague, the chairman of the Agricultural Committee [Mr. HAUGEN], whose honesty and integrity of purpose no Member can question. My regret is intensified due to the fact that I am indebted to him for many favors, and I wish it were possible for me to refrain from making any adverse comment on the bill, but I do not think that what I have said will affect the vote on it when the question arises with reference to its passage.

Mr. VOIGT. Has the gentleman any idea how the bill could be amended to make it acceptable and workable?

Mr. GREEN of Iowa. Yes; it could be amended so as to simply provide for the creation of an export corporation to take care of the export surplus and prevent its depressing the market. It would not have to buy all of this surplus to influence the market, nor would the Government lose any money, but it would prevent the market from being depressed by speculative influences. I can not go into details at this time, but I had the amendments all prepared and would have offered them, but I discovered that no amendments would be permitted. In this way we would have a bill that would, I believe, be approved by the President. As the matter now stands, it is perfectly idle to pass this bill. The statement made by the President in the first message which he sent to this Congress showed very clearly that a bill of this character would not meet with his approval, and that is one of the reasons why I want to see it amended. I think it was a mistake, in view of the well-known attitude of the President, for the committee to bring this bill to the House.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment to strike out the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment of Mr. GRIFFIN: Page 24, strike out lines 9 to 14, inclusive.

The CHAIRMAN. The question is on the amendment of the gentleman from New York to strike out the section.

The question was taken, and the amendment was rejected.

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD that I made to-day.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

COOPERATION WITH EXECUTIVE DEPARTMENTS

SEC. 303. (a) Any governmental establishment in the executive branch of the Government is authorized to act as agent of the corporation in the administration of functions vested in them by this act. The corporation may, in cooperation with any such Government establishment, avail itself of the services and facilities of such Government establishment in order to avoid preventable expense or duplication of effort.

(b) The President may by Executive order direct any such Government establishment to furnish the corporation with such information and data pertaining to the functions of the corporation as may be contained in the records of such Government establishment. The order of the President may provide such limitations as to the use of the information and data as he deems desirable.

(c) The corporation may cooperate with any State or Territory, or department, agency, or political subdivision thereof, or with any person.

Mr. GRIFFIN. Mr. Chairman and gentlemen, I am shocked that we have permitted Title III of this bill to pass by with so little attention.

If this bill passes both Houses in this form it will be tantamount to an abdication of our power to enact tariff legislation.

What do you do, gentlemen? Think! You surrender into the hands of a corporate body of five members the right and authority to alter, amend, increase, or decrease the tariff. Upon what? The most essential things that enter into our lives—foodstuffs. This bill should have emanated from the Committee on Ways and Means. I am surprised that this committee did not object to this interference by the Agricultural Committee with its functions in thus meddling with the tariff.

Do you realize the full import and significance of this part of the bill? It is revolutionary in our system of government.

First. It authorizes the President, under certain conditions, to issue a proclamation declaring that the importation of certain commodities into the United States is likely to increase the losses of the Agricultural Export Corporation.

Second. From the date of said proclamation it shall be unlawful to import such commodities into the United States, except under such regulations, limitations, and exceptions as the President may prescribe.

Third. It authorizes the President to increase the duties on such commodities—presumably to prevent their importation—but specifically prohibits the President from decreasing the duties on such commodities, even when the shoe is on the other foot and when such a decrease might be economically desirable.

AN ELASTIC TARIFF SHOULD WORK BOTH WAYS

Such a one-sided power was never contemplated in designing the so-called elastic provision of the Fordney-McCumber tariff.

I think I can take some credit to myself for, at least, foreseeing and advocating an elastic tariff. In my speech against the Fordney tariff bill as long ago as July 20, 1921, I said:

The tariff is a splendid instrument in the hands of the Government to regulate trade and prevent monopoly. It should be used by the Government for that purpose, and not put into the hands of special interests as an instrument to gouge the consumers. I would put the fixing of tariff rates in the hands of a competent commission familiar with the economic situation both at home and abroad. I would have this commission empowered to keep track of all imports and all exports. If it were found that any industries were engaged in profiteering, I would instantly let down the bars and invite foreign competition. If any industry gouged the American public by selling in the American market at high prices and in the foreign markets at low prices, the commission ought to be empowered to forbid all exports of that particular product until its price was at least made equal to that for which it was selling in foreign markets.

But I never contemplated, nor did any one else, I imagine, that an elastic tariff provision would ever be written so as to estop the President from using it both ways; that is, for lowering as well as raising the duties to meet economic exigencies.

Under Title III of the measure before us the entire tariff schedules covering foodstuffs, and their derivatives as well, are put practically at the mercy of this governmental export corporation which is created by this bill. It is obvious that if the President issues the proclamation referred to, he will do so at its instance. If he increases the duties on foodstuffs it will also be at its instance. So, the logical effect of this proposal is to have Congress surrender its control over tariff schedules, not to the President but to the Agricultural Export Commission.

CONSUMERS AT MERCY OF AN IRRESPONSIBLE COMMISSION

In other words, we, the Congress of the United States, are asked to tie our own hands and put the consuming public of the United States at the mercy of an irresponsible commission owing its allegiance primarily to an agricultural soviet; for such a commission, from the very circumstances of its appointment, is bound to consider only the welfare of the foodstuff producers and give a deaf ear to the appeals of the consumers of our Nation. Such a commission, being chiefly desirous of showing a good balance on the profit side of the ledger, will

necessarily take measures to create a food embargo by raising duties on competing foodstuffs at the slightest sign of danger to their bank balance. To put the entire Nation thus at the mercy of statisticians and accountants would be a veritable national calamity.

FARMERS NOW REALIZE THE INIQUITY OF THE FORDNEY TARIFF

In one respect I am glad that the protests of the farmers and food producers of the land have thus crystallized into this form, objectionable as it may be. It shows that they are at last aroused to the iniquity of the Fordney tariff. In other words, they know "what's biting them" on one cheek, but instead of getting rid of the pernicious insect they select another healthy specimen of the same genus and set him to work to fatten on their other jowl. This is poor sense and poor political economy.

Here is the situation briefly: The average price for all farm commodities is 107.3. The average price of highly protected commodities is 226.6. In other words, the dollar that the farmer gets for his wheat, or that the grazer gets for his cattle, is worth less than 50 cents, relatively speaking, when he tries to turn it into purchases of his other necessities. The relative value, for instance, of hardware and cutlery is about 200—farm commodities being at 107.3. The relative value of furniture is about 250; sugar, 198.8; clothing, 215; underwear, 300; women's dress goods, about 200; leather, 260; cotton blankets, 250; woolen blankets, 170; sheeting, 220; carpets, average, about 220; glassware, about 300; chinaware, about 230; wire, 191; alum, 200; and so on through the entire schedules of the existing tariff law. All of the duties seemed to have been specifically devised to discriminate against the farmer as well as all other consumers.

Is it going to do the farmers any permanent good to get into the band wagon with the other tariff looters and further irritate, aggravate, and torture the eventual consumers? No. The better plan, the most effectual plan, the squarest plan is to get on the side of the consumers of the Nation. Help them to get rid of the incubus of the tariff that is reducing the purchasing power of the wage earners' dollar. Remember, Mr. Farmer, that there are 30,000,000 heads of families and 95,000,000 people in the United States that are having the same trouble as you are having in trying to make their earnings meet their outlay.

Emancipate yourselves from the fetich of the tariff fallacy that only puts money in the pockets of a few profiteers at the expense of you and of all the other consumers of the country.

EMBARGOES ON FOOD INVITED

But Title III is not the only vicious and dangerous proposal in this bill. Take section 302. It is called "Information for producers," a rather harmless title; but let us read it:

SEC. 302. The corporation is hereby authorized and directed to inform producers that any material increase in production will lessen the benefits of the operations under this act by causing a corresponding increase in the losses of the corporation and decrease in the amounts of dividends.

Now, what does that mean? It provides that the corporation is to inform producers that any material increase in their production of wheat, corn, rice, wool, cattle, sheep, swine, or any food product thereof, will lessen the profits of this octopus export corporation.

The clear import of the warning, of course, is to intimate that the producers shall reduce their production. And the effect of that inevitably will be to create a scarcity in foodstuffs.

It seems almost unbelievable that sane, patriotic men could think of devising such a diabolical contraption to jeopardize the health and happiness of their fellow men.

Monopolies have been always held to be objectionable, but how much more so are they when they seek to deprive the people of the right to get foodstuffs and the necessaries of life? You practically invite these men to create a combination in order to promote a monopoly in foodstuffs.

Gentlemen, we are drifting too far into class consciousness. We have heard complaints as to class consciousness among labor unions and of their efforts to enhance their wages by strikes, but no strike ever inaugurated in the past or to be expected in the future could possibly effect the same ruin and devastation in our land as a strike or embargo such as would be possible under the vicious and malicious machinery provided in this insanely revolutionary measure. [Applause.]

Mr. HAUGEN. Mr. Chairman, I move that all debate upon this section and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. DENISON. Mr. Chairman, I am opposed to the amendment to strike out the last word. I am rising to ask a question for information. If this bill is enacted into law and an emergency is declared by the corporation as to wheat, for instance, and the price is increased to any considerable extent, say, 50 cents a bushel, I assume that it will become necessary to declare a substantial embargo upon the importation of wheat from Canada. Am I right about that?

Mr. HAUGEN. That is in the discretion of the President. He may raise the tariff or lower it.

Mr. DENISON. Well, it would amount to an embargo. Likewise, there would be embargoes declared on other substitute foodstuffs if the ratio price is fixed under the bill. If England resents that, and she probably will, because it will be placing an embargo upon the principal product of Canada—and it will be in a way dumping our surplus on foreign markets—if England should declare an embargo upon American wheat, what would the corporation then do?

Mr. HAUGEN. We could declare an embargo upon a number of things—dyestuffs and other things.

Mr. DENISON. And what would be the effect on the operations of this corporation with reference to the surplus wheat that it has on hand?

Mr. CHINDBLOM. Will the gentleman permit a suggestion?

Mr. DENISON. In a moment. I would like the gentleman from Iowa or some member of the committee to answer my question for the RECORD. I am asking the question in good faith for information.

Mr. HAUGEN. It is not possible for anyone here to state what is in the mind of Great Britain or others and what others may do or what the corporation may do.

Mr. DENISON. What would the corporation do with the wheat surplus it has on hand?

Mr. HAUGEN. There are other nations. I suggest that we would send it to Russia or Germany.

Mr. DENISON. But Russia is a great wheat-producing country.

Mr. BURTNESS. That is, where would the surplus go to? Let me answer the gentleman. What Great Britain buys from the United States is practically nothing as compared with what some other nations buy. If the gentleman wants to get the exact figures he will find them at page 9061 of the RECORD in the speech delivered by the gentleman from Indiana [Mr. WILSON]. From those figures he will see that only 54,000,000 bushels approximately were bought by the United Kingdom as compared, for instance, with 290,000,000 bushels by such a country as France over a similar period. There are a great many other nations who are greater buyers of flour and wheat than Great Britain and better customers of the United States.

Mr. DENISON. I mentioned Great Britain merely as an illustration. Suppose Great Britain and France do the same thing and declare an embargo on our wheat and flour. If other nations should treat us as we treat them and declare embargoes on our wheat, what would be the effect?

Mr. BURTNESS. Of course the gentleman forgets that practically every other nation, with the possible exception of Great Britain, who may want to favor her colonies, is interested in getting foodstuffs as cheaply as possible instead of as dearly as possible, and that there is no great likelihood of any of them desiring to cut out food products that would be imported to them from the United States, when their demand is for food products.

Mr. DENISON. That is stating what they might not do, but suppose they should declare an embargo, what would be the result on the corporation? I am asking for information.

Mr. CLARKE of New York. Mr. Chairman, may I suggest to the gentleman that instantly Canada would put an embargo upon the exportation from Canada of all wood pulp, amounting to over $90,000,000 worth every year. The second effect would be that Great Britain will never allow us to dump our wheat in any of the markets in competition with Canada and Australia, and what Great Britain will do other countries will do in the setting up of embargoes against us.

Mr. DENISON. I thank the gentleman from New York and the other Members of the committee for their very concise and lucid answers to my question, and for ample and splendid information they have given in response to my inquiries. I am sure the country can now feel relieved from any further anxiety on that question.

The CHAIRMAN. The time of the gentleman from Illinois has expired, and the Clerk will read.

The Clerk read as follows:

PENALTIES

SEC. 304. (a) That any person (1) who knowingly forges, counterfeits, alters, or falsely makes any receipt, bond, coupon, or other paper or document of the corporation, or uses, attempts to use, possesses, obtains, accepts, or receives any receipt, bond, coupon, or

other paper or document purporting to be issued by the corporation, knowing it to be forged, counterfeited, altered, or falsely made, or to be used unlawfully, or to have been procured by any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained; or (2) who, except under the direction of the Secretary of the Treasury or other proper officer, knowingly engraves, sells, brings into the United States, or has in his control or possession any plate in the likeness of a plate designed for the printing of any receipt, bond, coupon, or other paper or document of the corporation, makes any print, photograph, or impression in the likeness of any receipt, bond, coupon, or other paper or document of the corporation, or has in his possession a distinctive paper which has been adopted by the corporation for the printing of any receipt, bond, coupon, or other paper or document of the corporation shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(b) No person acting as a voluntary or paid agent or as an officer or employee of the United States or of the corporation shall solicit, induce, or attempt to solicit or induce, any other such agent, officer, or employee to execute or direct the execution of any contract, or to give any order under this act for the furnishing of labor, services, material, supplies, or property, and no such agent, officer, or employee, or any member of his family shall execute or direct the execution of any such contract, or give any such order, if such agent, officer, or employee has any pecuniary interest in such contract or order, or if any firm or association of which he is a member, or any corporation of which he is a stockholder, or in the pecuniary profits of which he is directly or indirectly interested, shall be a party thereto. Any person violating the provisions of this subdivision shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(c) The provisions of sections 123 and 124 of the Penal Code, approved March 4, 1909, as amended, shall apply to directors, officers, and employees of the corporation and persons acting for or on behalf of the corporation, to the imparting of information and the compiling of statistics and information in respect of ratio prices, estimates of surplus, and equalization fees for any basic agricultural commodity, and to speculating in any such commodity, to the same extent as such provisions apply to officers and employees of the United States and persons acting for or on behalf of the United States, to the imparting of information and the compiling of statistics and information in respect of any product of the soil, and to speculating in any such product.

(d) All laws relating to embezzlement, conversion, improper handling, redemption, use, or disposal of moneys of the United States shall apply to equalization fees and other moneys of the corporation while in the custody of any officer, employee, or agent of the United States or of the corporation.

Mr. MOREHEAD. Mr. Chairman, I move to strike out the last word. It is with a great deal of interest that I have watched and studied the present contemplated legislation. The bill as I view it should be termed a rebelous bill instead of a farmers' or agricultural relief bill. This sentiment has been accumulating for many years, owing to the fact that the agricultural sections of this country have been discriminated against. The far-reaching effect of this bill, in my judgment, is beyond human capabilities to determine. The expense of the administration of the law, if it should be passed, is my greatest objection to it. Economy talk that we have had does not appeal to me here, when I think of the liberal appropriations that have been made for the Army and the Navy, for organizing park boards to proceed to buy playgrounds that will cost the Government a great amount of money, and for the buying of canals and ditches, thereby relieving private parties of a bad bargain, which will cost a great amount of money and be of little benefit to the people in general.

I justify my vote upon this bill, which is an experiment, that it will bring relief to a degree, adjust the prices between what the agriculturists are getting and what the protective interests are getting, as my sole reason for voting for it. [Applause.]

The following item is taken from the Missouri Farmer:

The McNary-Haugen bill is to place the farmer on an even footing with organized industry and labor and to have the Government do for him in these premises what in his present organized condition he is not able to do for himself.

I also quote from the same author:

Is the condition of agriculture so desperate that Congress will be justified in time of peace in taking steps as far reaching as the one contemplated in its act?

I quote the author's answers to the questions asked:

My unequivocal answer is that it is; in fact, I will go further and say that American agriculture is to-day passing the greatest crisis in its history, and even if the McNary-Haugen bill is passed thousands of farmers will be sold out by the sheriff, and hundreds of country banks that are considered solvent to-day will close their doors before aid can possibly come from legislation or from any other source.

I am located in an agricultural section where diversified crops are raised without any additional expense for fertilizer. Our land produces corn and alfalfa as well as any section in the United States. Wheat, oats, and other small grains are an average crop. In addition to this we are livestock producers, much being shipped to market; and we are also successful in fruit raising, particularly apples and small fruits. This condition has enabled the farmer in my section to withstand the past several years of underproduction prices for farm products better than some, and while we are not prosperous, the condition is not as serious as described by the editor of the Missouri Farmer. However, as I stated, we are centrally located and I constantly meet people from surrounding agricultural sections who tell me the condition is as serious as stated by the editor quoted.

There are many farm organizations that help the farmer in many ways, and I believe the last few years have shown an unusual growth along many lines of usefulness and have helped to improve living conditions and community life. Cooperative buying and selling has also had a measure of success. The average farmer boy knows just how many bushels of corn it takes to make a pound of pork or beef; what rations are necessary to be fed in connection to produce the gain at the lowest cost; and much other necessary information along similar lines, which is essential that a good farmer should know, all of which the farm organizations have taught him. In time they may be able to control farm products and thereby secure a price in keeping with the prices paid for the necessary articles which he must buy.

Just why the farmer, who has the principal industry of the United States—in fact, the only industry which would create a panic if operations were suspended for one year—should be expected to sell for less than production price has never been explained. He has uncomplainingly for years contributed to all other protected industries, and this bill in no way differs from the protection given other industries by the Government.

It will operate the same as the steel trusts, prevent importation of wheat, and charge the home consumer more per bushel than the European price. The steel trusts sell to Europe for from two-fifths to one-half less than they charge the American purchaser.

Farm machinery is also shipped abroad and sold for a less price than our American farmer pays for a like article. Clothing and everything the farmer buys is protected. Why should he not be granted the same treatment as other industries? With a reasonable tariff, lower freight rates, and a lessening of the price charged the farmers the same results could be obtained and, from my viewpoint, is preferable. However, the latter course seems impossible to secure, as the wealthy corporations are exceedingly prosperous and powerful and object to lowering the tariff.

The present contemplated legislation for the relief of the farmer is entirely different from any former bill. The idea originated, as I believe, with methods adopted by the trusts protected by a tariff shutting out foreign competition.

The creation of the Interstate Commerce Commission with the purpose of adjusting the differences between the employer and employee, and to protect the people from exorbitant freight charges, in the minds of the people has proven a failure; if not prejudiced in the interests of the railroad, they are doing but little to adjust irregularities that exist.

The agricultural people are in a dissatisfied state of mind, and rightfully so. There seems to be a feeling in the East that their interests and those of the Southwest are exactly opposite. I do not agree with this. Take away the purchasing power of the rural population and it would only be a short time until the manufacturing districts would be bankrupt. Recently an Eastern paper published this article:

In this section we can afford to lose the Presidency. It is enormously important to our business security that the seat of power in the Nation should remain where it is, rather than be transferred to the Southwest, with all the effects which such a decision would have on the tariff and taxes and expenditures and policy. * * * Our business welfare, our future on the sea, our other industrial opportunities all hinge upon the outcome of this year's presidential election.

The Herald insists that if RALSTON, of Indiana, or a man of that type is elected and "a radical Democratic coalition" takes charge of the House and Senate, a new Democratic tariff in the interest of the Southwest and inimical to New

England will be the result. We confess we had not thought of such a dread possibility. The more we think it over the more correct appears the Herald's argument—certainly from its standpoint that the interests of New England and her manufacturers must and shall remain superior to those of any other section or group.

Sectional interests are very pronounced, as is also shown in this item from the New York Evening Post, which is one of the many similar articles being printed at this time:

For three years or more the farm country, led by the political gentry who farm the farmer, has been lashing itself into a frenzy of self-pity. Not since 1896 have so many corn-fed demagogues been abroad in the land. * * * The farm bloc is straining to shove this price-setting measure, with its $200,000,000 appropriation, through before adjournment. * * * Every farm lobbyist and every State farm bureau president who can get to Washington is milling around Capitol Hill. All farm organizations are working through their permanent Washington lobbies for its passage. Country bankers have been cowed and whipped into line for it. * * * Not in years has a Treasury raid had more determined support. * * * A minority of States with a fraction of the national population are determined to impose their will on a majority of States and a vast majority of the population. * * * The East and New England will vote against the McNary-Haugen bill because of its vicious price fixing and its wicked economics. * * * It proposes a special grant to a minority, taken from the pockets of the country, either as a money grant or increased prices of both.

All of the above things are true, but of Wall Street and New England manufacturers instead of the farmer controlling the Public Treasury, for his private profit, driving 12-cylinder cars, trips to Europe, private yachts, special cars, trains, and millionaires.

Using the Government for private gain has never yet been traced to the farmer's door.

America has a large part of the gold of the world. It is admitted the farmers are not in control of this gold, so it must be the large corporations, as statistics show that a thousand corporations have added more than forty billions to their holdings in a period of seven or eight years. This fact in itself is evidence that our system is not functioning properly.

If America is to continue to prosper the people who are willing to give long hours of work, to deny themselves many of the comforts of life, and to make their home on the farms, must be made prosperous by at least giving them the same protection that other lines of business are given. It has been figured out that the farmer receives 21 per cent of the cost of bread for his wheat, so if they stop to think even though the farmer receives one-half more per bushel, making the price $1.50 per bushel, the cost would be only about 10 per cent more. The railroad, the baker, the middleman should charge no more for their services than at the present time, as their expense would be no more. The advance the farmer receives should be the only additional cost to the consumer, as those who assist in placing the wheat in the hands of the consumer are already well paid.

George Washington is recognized as our greatest general; but on my recent visit to Mount Vernon there was but little to indicate that he considered his military achievements his greatest success in life. However, many things indicated that he was a lover of nature and that his time when not serving the public was given to agricultural pursuits.

Owing to recent events which have happened within the very heart of our Government with which you are all familiar, one is led to believe that many of the things vital to the life of our Republic are jeopardized. Upon the acceptance of the Presidency Washington wrote to Lafayette:

Nothing but harmony, honesty, industry, and frugality are necessary to make us a great and happy people. Happily the present posture of affairs and prevailing disposition of my countrymen promise to cooperate in establishing those four great and established pillars of public felicity.

Harmony by a group of people interested in robbing the Government still seems to live, but is used to the detriment of our country and not for its good as Washington intended. Industry and frugality are fast disappearing. The object of this day and age seems to be to give as little as possible in return for what is received. The majority of the people are still honest, but I believe we should see that only those who are absolutely known to be so are placed in positions of trust at the head of our Government, or the outcome means the fall of our great Republic.

On entering the great reception hall at Mount Vernon the first thing one sees is the marble mantle. The carvings of the first panel depicts a mother with her children busy about her home duties; the second, the rising run with the cattle and sheep on their way to pasture; the third, a man with a plow preparing for the day's work. At the four corners of the ceiling of the room are panels decorated with the tools necessary for the farmer. In the entire room there is no tribute to war or conquest. This alone convinces me that the founder of our great country placed the agricultural industry before all others.

Careful consideration of the McNary-Haugen bill with amendments, which I am satisfied will be made, leaves it free, in my judgment, of the viciousness or destructive elements that is claimed the bill contains by the corporation-owned press, an element that is not now and never has been in favor of the farmer receiving a fair return for his labor and capital invested.

One serious objection to the bill is its administration. It has been stated by a member of the committee that have the bill in charge that it will require as many men as is now employed by the Government in both the revenue and law enforcement departments. While this may be true, I believe there are bureaus that could be consolidated and still function as successfully as now, cutting the expense in half, the same as a successful business man would manage a private corporation. This is an age of specialization and seems to have reached its peak in governmental affairs and expenses; a time when heads of departments seem to feel that numbers under them increase the importance of the departments, while the fact is that it is men not numbers that mean efficiency. Public officials should take their duties seriously, giving time and thought and practicing the same economy that they would in their own personal business.

I believe the majority party at the convening of the Sixty-eighth Congress should have proceeded at once by lowering the tariff and thereby reducing the price of manufactured articles to conform with the price of the farmer's products. In my judgment it would have been more sound than the raising of the farm products by class legislation on a par with the manufactured article. The fear of the majority party as to the campaign contributions from the protected interests is without justification, as they can not and will not turn to the insurgents, and never have been friendly to the Democratic Party, that stands for lowering the tariff.

In my judgment the entire theory is unsound. A prohibitive tariff permitting corporations and individuals to control commodities and to fix the price of manufactured articles is the direct cause of the present discontent and the unfair price charged the farmers for the articles he must buy in comparison to the price he gets for the product he has to sell.

I feel that in voting for the McNary-Haugen bill I am only endeavoring to give to the American farmer the same legislation that the large industries have been receiving for a number of years.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto do now close.

Mr. CONNALLY of Texas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CONNALLY of Texas. Why, the gentleman from Nebraska has not yielded the floor. He is asking the Chair for permission to extend his remarks.

The CHAIRMAN. The Chair did not hear the gentleman.

Mr. CONNALLY of Texas. He was on his feet continually asking for permission to extend his remarks.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Iowa to close debate.

The question was taken, and the motion was agreed to.

Mr. HILL of Maryland. Mr. Chairman, I ask unanimous consent to revise my remarks which I would have made if the motion had not been adopted.

The CHAIRMAN. Is there objection?

Mr. DOWELL. I object—on what subject?

Mr. HILL of Maryland. I would like to put in a letter from the American Wheat Growers Association.

Mr. DOWELL. I withdraw any objection.

The CHAIRMAN. The Chair hears no objection.

Mr. HILL of Maryland. Mr. Chairman, I have just received a letter from the American Wheat Growers' Association, stating that this McNary-Haugen bill will raise the price of wheat approximately 40 cents per bushel and the value of livestock about 30 per cent.

I think the committee should read carefully all of this letter, including the printed headings, before you vote on this bill. Here it is. Read it:

AMERICAN WHEAT GROWERS ASSOCIATION (INC.),
FRANKLIN SQUARE HOTEL,
Washington, D. C., May 29, 1924.

MY DEAR CONGRESSMAN: The statement has been made on the floor of the House that the McNary-Haugen bill would benefit only the Northwest. For your information kindly permit us to advise that the Fourteenth Federal census shows that for the year 1919, 56.8 per cent of the farmers in the State of Maryland raised 113,120 calves, 347,491 hogs, and 72,307 lambs. It is also shown that the farmers of Maryland sold in 1919 $17,000,000 worth of livestock and that they planted 664,295 acres of wheat which produced 9,620,526 bushels. Every census back to 1879 shows that Maryland averaged over 8,000,000 bushels of wheat per year.

It is our estimate that the passage of the McNary-Haugen bill would raise the price of wheat approximately 40 cents per bushel and the value of livestock about 30 per cent. From these figures you can readily see what the passage of the bill would mean to the farmers of your State.

Sincerely yours,

GEO. C. JEWETT, *General Manager.*

The Clerk read as follows:

SEC. 305. Any person who, in violation of this act, willfully (a) fails to pay, collect, or account for and pay over, any equalization fee; (b) fails to furnish any receipt, or make any return or report; or (c) attempts in any manner to evade the payment or defeat the collection of such fee shall, upon conviction thereof, be fined not more than $5,000, or imprisoned for not more than one year, or both.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 20, strike out section 305.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in three minutes.

The motion was agreed to.

Mr. BLACK of New York. Mr. Chairman and gentlemen of the committee, I have paid a great deal of attention to this bill with the hope that I would ultimately support it, but I am disappointed. I can not support it. [Laughter.] I have come to the conclusion after hearing everybody on this bill that this bill is actually a bill for the relief of the wheat farmers and the foreign workers by robbing the Treasury and picking the pockets of the consumer, and after hearing the distinguished chairman of the Ways and Means Committee I am honestly of the opinion that there is more politics in this bill than wheat [laughter], and that the emergency exists in the Republican Party having no surplus of votes. [Applause and laughter.]

Mr. CLARKE of New York. Mr. Chairman, I ask that the gentleman from New York be given a respectful hearing.

Mr. BLACK of New York. I will accept any kind of a hearing. I think we learned a great deal from Henry Ford. He was running for President. When Mr. Coolidge came out in favor of his Muscle Shoals proposition Henry Ford put on the four wheel brakes. [Laughter.] They had a third party started going the other day. Now, I think the White House will relent, and sign this bill, and the third party will die a-borning.

I am not speaking for any section of the country, North or South, East or West. I am just trying to speak for the people of the cities, who do not believe that there is any logic or political economy in the idea that when there is a surplus of food there should be higher prices. When you gentlemen go back to the farms and talk to the farmers about my prohibition amendment to this bill, I hope you will also call their attention to this economic fact, that under American prohibition the American farmer has become poorer, while on the other hand the Canadian farmer has become richer, and also the bootlegger. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEPARABILITY OF PROVISIONS

SEC. 306. If any provision of this act is declared unconstitutional, or the applicability thereof to any person, commodity, or circumstance is held invalid, the validity of the remainder of the act and the applicability thereof to other persons, commodities, and circumstances shall not be affected thereby.

Mr. BLANTON. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The gentleman will offer it.

Mr. BLANTON. I move to strike out the enacting clause.

Mr. CANNON. Mr. Chairman, I make the point of order on that. That motion is not in order.

Mr. BLANTON. It is in order at any time after the reading of the first section.

Mr. CANNON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CANNON. Mr. Chairman, I make the point of order that the motion of the gentleman from Texas to strike out the enacting clause is not in order. It is not admissible under the rule providing for the consideration of this bill.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. CANNON. Mr. Chairman, the special order under which the House is proceeding, and under which this bill is being considered, provides that the bill shall be read for amendment under the five-minute rule. Not that a part of it shall be read and the remainder omitted on a motion to strike out the enacting clause or otherwise, but that the entire bill shall be read, which necessarily includes the last section of the bill.

The motion to strike out the enacting clause may be made only after the reading of the first section and before the reading of the last section. It is not in order after the completion of the reading of the bill. It follows, therefore, that if a special order requires the reading of the last section, it must perforce preclude the motion to strike out the enacting clause, because such motion is not in order after the reading of the last section.

That provision of the rule alone, Mr. Chairman, would be conclusive and would bar the motion to strike out the enacting clause of the pending bill. But even without that clause the rule is so phrased as to preclude that motion. For it provides further that at the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendment thereto to final passage without intervening motion except one motion to recommit. It is not discretionary. It is mandatory. The committee is left no choice in the matter. The language is emphatic and admits of no other interpretation. It means that if it means anything, and the rule so provides if it provides any order of business at all.

If any precedent is required, I cite to the Chair a decision in Hinds' Precedents on this identical point, and there are others which affirm it.

It may be urged that such procedure is not expedient; that the committee should not be bound to report as provided but should have the option of terminating consideration at any time it chooses to do so and of reporting any conclusion it might elect to reach. I sympathize with that suggestion, and fully concur in that view, but the remedy is not to violate the law of the House in order to effectuate it. The fault is not with the interpretation of the rule. If it was the purpose of the committee in reporting this rule, and of the House in adopting it, to admit the motion to strike out the enacting clause, then the rule should have so provided. But the rule does not so provide. The language and purport of the rule are plain and unequivocal. It provides that the entire bill shall be read, that it shall be reported to the House and voted on without any intervening motion of any kind except the one motion to recommit, and therefore clearly precludes a motion to strike out the enacting clause or any other motion except the motion to recommit, and the motion of the gentleman from Texas is not in order.

Mr. BLANTON. Mr. Chairman, will the Chair hear me a moment?

The CHAIRMAN. Yes. The Chair will hear the gentleman.

Mr. BLANTON. Mr. Chairman, the position taken by the gentleman from Missouri [Mr. CANNON] would be sound but for one fact. The Committee on Rules has the right to do away with any and all rules it may see fit to do away with; but whenever it does away with a rule, it must so expressly stipulate in the resolution itself.

If the Committee on Rules had determined on doing away with the general rule of the House which permits at any time the offering of an amendment to strike out the enacting clause as a preferential motion, then the Committee on Rules would have so stipulated in the resolution itself, which it passed giving a privileged status to this bill.

Mr. CANNON. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. CANNON. The gentleman states it should be so stipulated in the rule?

Mr. BLANTON. Certainly.

Mr. CANNON. I ask the gentleman if it is not provided in the rule that the previous question shall be considered as ordered without intervening motion except one motion to recommit.

Mr. BLANTON. Yes; but that in no way applies to an amendment to strike out the enacting clause.

Mr. CANNON. Does not that cut out a motion to strike out the enacting clause, or any other motion except a motion to recommit?

Mr. BLANTON. No. That motion to recommit is a motion in the House and not one that is made in the Committee of the Whole House on the state of the Union.

A motion to recommit is made in the House after the previous question has been ordered and after the third reading of the bill. Now, suppose the Rules Committee had provided that just as soon as this bill had been read under the five-minute rule and had been completed, it should be reported to the House and acted upon, and it had made no mention of the motion to recommit; that would not have cut off the motion to recommit, but the committee itself provided in the rule that all intervening motions in the House should be cut off except the motion to recommit, and no reference is made to the preferential amendment to strike out the enacting clause; and I submit to the Chair that when the Rules Committee leaves out all reference to that provision, the proper rule of this House should be that you can not deprive the membership of the right to make a motion to recommit, even though there are bad precedents to the contrary, where they leave it out of the resolution and make no reference to it. That is the reason the committee brought in this rule as it is written, because the committee did not intend to prevent an amendment to strike out the enacting clause, which restriction it could have made if it had seen fit to do so, but it did not so stipulate. I do not care to argue the question any further, but I submit, Mr. Chairman, that an amendment to strike out the enacting clause is an inherent right in the committee and always prevails.

Mr. SINNOTT. Mr. Chairman, the rule covering this bill provides that the bill shall be read for amendment and after having been read for amendment it shall be reported to the House. Now, I contend that a motion to strike out the enacting clause is not an amendment. The rules provide, section 804 of the Manual, under the head of amendments, four amendments—first, an amendment, then an amendment to the amendment, then a further amendment by way of substitute, and then an amendment to the substitute. If the motion to strike out the enacting clause were an amendment, it would be an amendment in the fifth degree.

At no place in the rules do you find the motion to strike out the enacting clause referred to as an amendment. Therefore, a motion to strike out the enacting clause is not such an amendment as is provided for in the rule covering the McNary-Haugen bill.

Mr. SNELL. Mr. Chairman, while this bill was brought in under a special rule, that part of the rule pertaining to the motion to recommit was not considered, as that is a standard clause which is always carried in every rule, because the Rules Committee is prohibited from bringing in a rule doing away with that privilege.

The Chair will probably remember that last year we brought in a special rule providing for the consideration of the migratory bird bill. After we had read a little way in the bill, the enacting clause was stricken out of that bill, and the rule under which it was considered was practically the same as this one. The Chair will also bear in mind that we brought in a special rule for the consideration of the tariff measure, and we provided in the rule that the bill should be read for amendment under the five-minute rule, but we never read the entire bill.

I do not believe it necessarily means that the entire bill must be read, but it simply means that the bill shall be considered for amendment under the five-minute rule, but not necessarily that the whole bill must be read any more than it means that the bill must be passed. The special rule simply puts the bill in possession of the House to be considered under the general rules of the House. Under the general rules it is in order to strike out the enacting clause at any time after the first section is read, and there is nothing in the special rule that controverts that.

I believe that to strike out the enactment clause is a simple proposition to amend, and is certainly in order at this time, and the point of order does not lie against the motion of the gentleman from Texas.

The CHAIRMAN. The Chair is ready to rule. The Chair is somewhat sorry this point was not presented sooner, so that he might have had some opportunity to look up the matter.

It is a very close question. At first blush the Chair was of the opinion, and still believes as a matter of right, that a motion to strike out the enacting clause must be considered as an amendment. But the Chair hesitates very much to overrule what seems to be the established precedents in this matter. I have some doubt, I may say to you very frankly, as to the soundness of some of the conclusions which have been made on similar questions in the past, but I think the gentleman from Missouri has followed what seems to be the line marked out by the decisions.

In the Manual, on page 387, we find the citation of a case which is found in the fourth volume of Hinds', section 3215. which holds:

> And where a special order provided that a bill should be open to amendment in Committee of the Whole, a motion to strike out the enacting words was held out of order.

That was afterwards referred to in another case, found in the CONGRESSIONAL RECORD of December 4, 1918, in which the Chair, in commenting on a similar motion, cited this decision with approval. However, the point was not directly raised and decided in this instance.

The Chair has not had an opportunity to look into this matter and is not at all sure of his ground, but for the present the Chair thinks he is bound by the only precedent he has, and sustains the point of order.

Mr. BLANTON. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Texas appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The committee divided; and there were—ayes 179, noes 15.

So the decision of the Chair stands as the judgment of the committee.

Mr. BARKLEY. Mr. Chairman, I have listened with a great deal of interest to the debate on both sides of this measure, and notwithstanding the ability displayed on both sides, or, perhaps, on account of it, I have been very much undecided as to how I should vote on this measure.

I have taken this time, not to convince anybody else how they should vote, but merely to explain my own attitude and the reason for the vote which I expect to cast.

During the war the Government came in direct contact with many divergent interests in this country. It took over the railroads and operated them during the war. It drafted our soldiers and it entered into relationships with various corporations from one end of the country to the other, and took over some of them entirely as a war measure. When the war ended and we had turned the railroads back to their owners, we said to them: "We have taken you forcibly for the use of the Government during the war, and we will legislate so that the roads shall not suffer any loss by reason of the war."

We have appropriated—and the country, apparently, has had no objection to the appropriations—enormous sums of money in order to carry out that pledge to the railroads of the country. After the war ended and the relationship between the Government and private corporations which were necessary agencies of the Government during the war was over and that relationship had been sundered we appropriated enormous sums of money—several hundred millions, if not a billion dollars—in order that the Government might see that the corporations with which it had contracts during the war should not suffer any financial loss by reason of that relation.

The Government reached its arm into all the homes of the Nation and took from them the strongest to fight the battles of the Republic, and we have only recently by an overwhelming vote said we desired as far as we could to adjust the compensation of the men who bared their breasts to the shot and shell in order that they might not be regarded as discriminated against compared to others with whom we had the dealings of which I have spoken. [Applause.]

I regard agriculture in its present condition as a war casualty, and in my judgment it is the duty of the Government to do just as much for agriculture, if it can do it, as it has done for these other interests to which I have referred [applause], and for that reason I expect to vote for this bill. [Applause.]

We have been told that this bill is uneconomic. There are about as many different opinions about what is economically sound as there are about the plan of salvation, and I doubt if very many of us are competent to pass on whether it is economically sound or not. I do not know whether as a sound, economic proposition this bill is according to the high standards of economics, but I do know that this measure is no more

economically unsound than the condition of the farmers of this country; and if it is to be a question of the difference between technical economics in Government and economic improvement on the farm, I will take my choice with the farms and with the farmers and try to help them. [Applause.]

I have undertaken to form an opinion as to whether there was more good than bad in this bill, and I have reached the conclusion that there is more good than bad in the bill and that I can afford to support it in the hope that it will offer some relief to agriculture. It is the only solution before us or that is likely to be before us. I prefer it rather than have nothing at all. [Applause.]

The Clerk concluded the reading of the bill.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9033) declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question.

Mr. SINNOTT. A point of order, Mr. Speaker. I understand the rule provides that the previous question shall be considered as ordered.

Mr. VOIGT. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Oregon is right, the rule provides that the previous question shall be considered as ordered. The gentleman from Wisconsin moves that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. VOIGT) there were—ayes 142, noes 121.

Mr. TINCHER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 180, nays 136, answered "present" 3, not voting 114, as follows:

YEAS—180

Abernethy	Dominick	Lazaro	Sanders, N. Y.
Ackerman	Doyle	Lehlbach	Sanders, Tex.
Aldrich	Drewry	Lineberger	Sandlin
Andrew	Driver	Linthicum	Schafer
Aswell	Dyer	Longworth	Schneider
Bacon	Fairchild	Lowrey	Scott
Bankhead	Fisher	Luce	Sears, Fla.
Beck	Fitzgerald	Lyon	Sherwood
Begg	Fleetwood	McDuffie	Snell
Bell	Foster	McNulty	Spearing
Berger	Fredericks	McReynolds	Sproul, Ill.
Bixler	Free	MacGregor	Stalker
Black, N. Y.	Freeman	MacLafferty	Steagall
Black, Tex.	Fulmer	Magee, N. Y.	Stedman
Bland	Garner, Tex.	Mapes	Stephens
Blanton	Garrett, Tenn.	Martin	Stevenson
Bloom	Garrett, Tex.	Merritt	Strong, Pa.
Bowling	Gasque	Mills	Sumners, Tex.
Box	Gifford	Minahan	Taber
Boyce	Goldsborough	Montague	Temple
Brand, Ga.	Griffin	Mooney	Thatcher
Briggs	Hammer	Moore, Va.	Tinkham
Browne, N. J.	Harrison	Moores, Ind.	Treadway
Browning	Hawes	Murphy	Tucker
Brumm	Hersey	Newton, Mo.	Tydings
Buchanan	Hill, Ala.	O'Connell, R. I.	Underhill
Buckley	Hill, Md.	O'Connor, La.	Underwood
Bulwinkle	Hooker	O'Sullivan	Vaile
Busby	Huddleston	Oldfield	Vare
Butler	Hudson	Oliver, N. Y.	Vinson, Ga.
Byrns, Tenn.	Hull, Morton D.	Paige	Voigt
Chindblom	Jacobstein	Parker	Wainwright
Clarke, N. Y.	Jeffers	Parks, Ark.	Wason
Cleary	Johnson, Ky.	Peavey	Watres
Collier	Johnson, Tex.	Phillips	Watson
Connally, Tex.	Jones	Pou	Weaver
Corning	Kent	Quin	Welsh
Crisp	Kerr	Ragon	Williams, Mich.
Crosser	Kiess	Rainey	Williams, Tex.
Dallinger	Kincheloe	Rankin	Wilson, La.
Darrow	Kurtz	Ransley	Winslow
Davey	Lanham	Rayburn	Wood
Davis, Tenn.	Lankford	Rogers, Mass.	Woodrum
Deal	Larsen, Ga.	Rouse	Wright
Dempsey	Larson, Minn.	Sabath	Yates

NAYS—136

Allen	Browne, Wis.	Clague	Croll
Almon	Burtness	Cole, Iowa	Crowther
Arnold	Campbell	Colton	Cummings
Ayres	Canfield	Cook	Dickinson, Iowa
Barbour	Cannon	Cooper, Ohio	Dickinson, Mo.
Barkley	Carter	Cooper, Wis.	Dowell
Brand, Ohio	Christopherson	Cramton	Elliott
Evans, Iowa	Hull, Iowa	Moore, Ga.	Stengle
Evans, Mont.	James	Morehead	Strong, Kans.
Fairfield	Johnson, S. Dak.	Morrow	Summers, Wash.
Faust	Johnson, W.Va.	Nelson, Wis.	Swank
Frear	Kearns	Nolan	Swing
French	Keller	Oliver, Ala.	Taylor, Colo.
Fulbright	Kelly	Perkins	Thomas, Ky.
Fuller	Ketcham	Purnell	Thomas, Okla.
Funk	King	Raker	Thompson
Garber	Kopp	Ramseyer	Tillman
Gardner, Ind.	Kvale	Rathbone	Timberlake
Green, Iowa	Lampert	Reid, Ill.	Tincher
Greene, Mass.	Lea, Calif.	Richards	Vestal
Greenwood	Leatherwood	Roach	Vincent, Mich.
Griest	Leavitt	Robinson, Iowa	Ward, N. C.
Hadley	Lozier	Romjue	Watkins
Hardy	McClintic	Rubey	Wefald
Hastings	McKenzie	Schall	White, Kans.
Haugen	McKeown	Sears, Nebr.	Williams, Ill.
Hawley	McLaughlin, Mich.	Shallenberger	Williamson
Hayden	McLaughlin, Nebr.	Shreve	Wilson, Ind.
Hickey	Major, Ill.	Simmons	Wingo
Hill, Wash.	Major, Mo.	Sinclair	Winter
Hoch	Manlove	Sinnott	Wolff
Holaday	Michener	Smith	Woodruff
Howard, Nebr.	Miller, Wash.	Speaks	Wurzbach
Hudspeth	Milligan	Sproul, Kans.	Young

ANSWERED "PRESENT"—3

Graham, Ill. Morris Newton, Minn.

NOT VOTING—114

Allgood	Eagan	Logan	Reed, N. Y.
Anderson	Edmonds	McFadden	Reed, W.Va.
Anthony	Favrot	McLeod	Robsion, Ky.
Bacharach	Fenn	McSwain	Rogers, N. H.
Beedy	Fish	McSweeney	Rosenbloom
Beers	Frothingham	Madden	Salmon
Boies	Gallivan	Magee, Pa.	Sanders, Ind.
Boylan	Geran	Mansfield	Seger
Britten	Gibson	Mead	Sites
Burdick	Gilbert	Michaelson	Smithwick
Burton	Glatfelter	Miller, Ill.	Snyder
Byrnes, S. C.	Graham, Pa.	Moore, Ill.	Sullivan
Cable	Howard, Okla.	Moore, Ohio	Sweet
Carew	Hull, William E.	Morgan	Swoope
Casey	Hull, Tenn.	Morin	Tague
Celler	Humphreys	Mudd	Taylor, Tenn.
Clancy	Johnson, Wash.	Nelson, Me.	Taylor, W. Va.
Clark, Fla.	Jost	O'Brien	Tilson
Cole, Ohio	Kahn	O'Connell, N. Y.	Upshaw
Collins	Kendall	O'Connor, N. Y.	Vinson, Ky.
Connery	Kindred	Park, Ga.	Ward, N.Y.
Connolly, Pa.	Knutson	Patterson	Weller
Cullen	Kunz	Peery	Wertz
Curry	LaGuardia	Perlman	White, Me.
Davis, Minn.	Langley	Porter	Wilson, Miss.
Denison	Lee, Ga.	Prall	Wyant
Dickstein	Lilly	Quayle	Zihlman
Doughton	Lindsay	Reece	
Drane	Little	Reed, Ark.	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Morris (for) with Mr. Vinson of Kentucky (against).
Mr. Patterson (for) with Mr. Graham of Illinois (against).
Mr. Connally of Texas (for) with Mr. Little (against).
Mr. Wyant (for) with Mr. Howard of Oklahoma (against).
Mr. Rogers of New Hampshire (for) with Mr. Beers (against).
Mr. Newton of Minnesota (for) with Mr. Boies (against).
Mr. Gallivan (for) with Mr. Lilly (against).
Mr. Frothingham (for) with Mr. Robsion of Kentucky (against).
Mr. Graham of Pennsylvania (for) with Mr. Johnson of Washington (against).
Mr. Jost (for) with Mr. Moore of Illinois (against).
Mr. Swoope (for) with Mr. Wertz (against).
Mr. Tague (for) with Mr. Glatfelter (against).
Mr. Sweet (for) with Mr. McSweeney (against).
Mr. Mudd (for) with Mr. Davis of Minnesota (against).
Mr. Mansfield (for) with Mr. Taylor of West Virginia (against).

General pairs:

Mr. Burton with Mr. Kindred.
Mr. Kahn with Mr. Clark of Florida.
Mr. Cable with Mr. Park of Georgia.
Mr. Morin with Mr. Carew.
Mr. Curry with Mr. Drane.
Mr. Fish with Mr. Lindsay.
Mr. Morgan with Mr. Collins.
Mr. Fenn with Mr. Connery.
Mr. Seger with Mr. Gilbert.
Mr. Gibson with Mr. McSwain.
Mr. Magee of Pennsylvania, with Mr. Casey.
Mr. Madden with Mr. Byrnes of South Carolina.
Mr. Perlman with Mr. Reed of Arkansas.
Mr. White of Maine, with Mr. Allgood.
Mr. Tilson with Mr. Logan.
Mr. Anthony with Mr. O'Connell of New York.
Mr. McFadden with Mr. Clancy.
Mr. Reed of New York, with Mr. Humphreys.
Mr. Kendall with Mr. Smithwick.
Mr. Denison with Mr. Weller.
Mr. Cole of Ohio, with Mr. Boylan.
Mr. Michaelson with Mr. Lee of Georgia.
Mr. Taylor of Tennessee, with Mr. Wilson of Mississippi.
Mr. Bacharach with Mr. Mead.
Mr. Burdick with Mr. Celler.
Mr. McLeod with Mr. O'Brien.
Mr. Miller of Illinois, with Mr. Perry.
Mr. Porter with Mr. Cullen
Mr. Sanders of Indiana, with Mr. Eagan.
Mr. Moore of Ohio, with Mr. Dickstein.
Mr. Reece with Mr. Favrot.

Mr. Hull, William E., with Mr. O'Connor of New York.
Mr. Snyder with Mr. Doughton.
Mr. Ward of New York, with Mr. Geran.
Mr. Beedy with Mr. Hull of Tennessee.
Mr. Reed of West Virginia, with Mr. Kunz.
Mr. Nelson of Maine, with Mr. Upshaw.
Mr. Britten with Mr. Quayle.
Mr. LaGuardia with Mr. Sites.
Mr. Anderson with Mr. Prall.
Mr. Knutson with Mr. Salmon.

Mr. MORRIS. Mr. Speaker, I voted aye. I am paired with the gentleman from Kentucky [Mr. VINSON]. I wish to withdraw my vote and answer present.

Mr. NEWTON of Minnesota. Mr. Speaker, I voted aye. I am paired with the gentleman from Iowa [Mr. BOIES], who was called home on account of important business. I desire to withdraw my vote of aye and answer present. If Mr. BOIES were here, he would have voted no.

The result of the vote was announced as above recorded.

THE M'NARY-HAUGEN BILL

Mr. FRENCH. Mr. Speaker, the other day in discussing the McNary-Haugen bill I called attention to the fact that no disaster can overtake one industry or one large group of our people that does not reflect itself upon our people everywhere. Our colleague from Massachusetts, Mr. LUCE, said as he discussed the pending measure that the people of his part of the country were not altogether prosperous. He pointed out that the spindles of mills in his home city were running four days a week instead of six.

The friends of the McNary-Haugen bill have constantly urged that the measure is of greatest importance because in benefiting agriculture it will bring benefits to industries and to people everywhere. With this thought in mind, I wired to one of the representatives of the farmers of the Northwest who was in Washington and participated in the plan that brought about concerted effort in behalf of the McNary-Haugen bill a few months ago, Mr. Gainford P. Mix, of Moscow, Idaho, asking him to give me definite figures on a situation with which I was generally familiar touching volume of business to-day in our agricultural communities in the West in comparison with volume of business a few years ago. I have a reply from Mr. Mix, under date of May 24, advising me that one of the largest merchandise stores in my home county in 1920 did a gross business of $387,000 and that its business had been reduced last year to $270,000.

The business of another in 1920 was $283,000, while in 1923 it had shrunk to $171,000. An implement house that in 1920 sold $60,000 worth of implements had reduced its sales to $27,000 last year. Another one that in 1920 had sales of $57,000 saw a shrinkage in business to $28,000. The business of another implement establishment shrank from $38,000 in 1920 to $20,000 in 1923.

These are figures from a few of the business houses in Latah County, Idaho. Mr. Mix wires me that, generally speaking, in northern Idaho general merchandising and the implement business show a decrease of practically 50 per cent from 1920 to 1923. These are figures that tell of the hardship that is being brought to our people and that is being reflected upon business everywhere in our country and contributing to the slowing down of the spindles in the mills of Massachusetts.

Again may I urge the importance of relief for the farmer, not only from the standpoint of agriculture but from the standpoint of people everywhere, and the welfare of our Nation.

Mr. DEAL. Mr. Speaker, the bill under consideration (H. R. 9033) provides for the creation of another bureau, with all of the expense incident thereto. Perhaps an entire new building must be placed at its disposal, with clerks and janitors, and heat, light, and water. It is supposed to exist for a period of five years, but we all know that a bureau once created is not likely ever to be abolished. It is much easier to keep such organizations in existence than to prevent them being created. This bill, if enacted into law, will add another barnacle to our ship of state to slow down its progress and in the end aid in her destruction.

EMERGENCY

It declares that an emergency exists. This declaration is as fictitious as is the proposal to maintain a price out of proportion to that warranted by supply and demand. What sort of emergency is there existing? There is no war; we are at peace; we have no famine, no particular distress; nothing other than that one class of people engaged in a particular operation have produced more than our market will absorb. They have food to eat, clothes to wear. There is a shortage of labor; hence it is commanding the largest return anywhere on the face of the globe or during any period in the history of the world. There is an overproduction of bread and meat for home consumption, and the foreigner either has no need or is unable to buy. The logical policy, therefore, is to stop raising that which is overproduced and apply the efforts in a remunerative field.

If this be an emergency we can find thousands of them in all kinds of occupations and industrial effort. Of course there are exceptions, always have been and always will be. Go into the urban centers and we will find the per cent of real distress greater, yet there is work for all. We can not expect affluence for all. We may under the strong arm of the law take from one and give to another. It would only shift the affluence, and that is the purpose of this bill—to take from four-fifths of the people and give to the one-fifth.

A CORPORATION IS TO BE CREATED

The bill provides that there shall be created a corporation of $200,000,000 capital, all of which shall be subscribed by the United States out of moneys taken from the pockets of the taxpayers of every State in the Union. The corporation is furthermore authorized to issue certificates of credit in an amount not exceeding five times its capital, that is to say, that the credit and money of all of the people of the United States is to be used in the interest of a privileged class.

PRICE FIXING

The commission is authorized to fix a price on wheat, flour, rice, corn, hogs, cattle, sheep, or any food product of cattle, sheep, or swine. However, the prime purpose of this bill is in the interest of the producers of wheat. Other farm products are evidently included to get away from the idea of a wheat subsidy and as a bait for votes. The method of fixing this "ratio" price is, as I understand it, to apply the price at which wheat, or other commodities embraced within the provisions of this bill, sold during the years 1905 to 1914 inclusive, and multiply by the average price at which all other commodities sold during 1923, and divide by 100. Since this legislation is proposed primarily in the interest of the wheat grower, we will illustrate the manner in which the ratio price is established by taking the average price of wheat in 1905 to 1914 inclusive, which we find to be approximately 98 cents, while all other commodities sold in 1923 at 62 per cent higher than during the pre-war period, or 1.62. Multiplying 98 by 162, and dividing by 100, we will evolve the ratio price at which the corporation shall determine the market to be. This will give us $1.59 cents per bushel, whereas, the approximate world market price is $1. It is proposed that the Government guarantee this fixed price and absorb such surplus amounts as can not be sold for home consumption. This surplus is to be sold on the world market in competition with the surplus from Argentina, Australasia, and other countries at a price which will probably be fixed in London.

EQUALIZATION FUNDS

In order that the producers of a basic commodity may pay ratably their share of the expenses of the corporation, and the losses that will accrue by reason of the sale of a surplus commodity, say wheat, in foreign markets, the corporation is authorized to establish the amount to be collected in respect to each sale, and the purchaser required to collect such equalization fee from the producer, issue to such producer a receipt therefor, such receipts to be provided by the corporation, and the seller is required to accept the same as a part of the ratio price fixed by the corporation. As this amount is to be calculated to cover the expense of operation, it would seem to protect the Government, provided the plan works out as its proponents anticipate.

Should it develop, however, that by reason of the inflated price of wheat the bread eaters of the country should consume less, and the producers should grow more, the actual figure that the farmer would receive will more nearly approximate the world market. To illustrate: If the annual consumption of wheat in America should be reduced to 500,000,000 bushels, which at $1.59 would be worth $795,000,000, and the stimulated production should increase to 1,000,000,000 bushels, 500,000,000 of which would have to be sold on the world market at $1, the total equalization fees for the loss in the sale would amount to $295,000,000, so that this deduction would bring the producer back to identically the world market price, and the farmers would not be benefited to the extent of one penny. At the same time there would have to be an additional deduction made from the price of the farmer's wheat with which to pay the operating cost of the corporation, and in that event the farmer would lose, while the American consumer would be required to pay 50 per cent more for the bread that he eats and the

benefit would accrue only to the foreign purchaser. This is certainly not an unreasonable assumption. Indeed, it is my opinion that the production of wheat, under the hope held out by this bill, would easily go beyond the billion bushel mark, until the farmer by actual experience realized the fallacy of the whole proposition, and again he would be forced to curtail his production or come back to the Government and ask for a direct subsidy to relieve the situation.

It seems to me that if we are justified in subsidizing agriculture it would be far better to go into those communities in which the distress is most keenly felt, pay a gratuity to the producer, and avoid the complicated and dangerous experiment of the Government going into the business of selling wheat. In 1893 the Sherman antitrust law was enacted, which, as interpreted by the courts, provides that no two or more persons shall combine to fix the price that a consumer must pay or to boycott the product of any individual or class of individuals. This is a general law and applies to all persons alike. There have been several attempts to exempt certain classes from the provisions of this law while having it applied to other persons. In 1912 Congress passed the sundry civil bill in which it was provided that no funds thus appropriated should be used for prosecuting agriculture or labor organizations that might combine in restraint of trade. President Taft vetoed this bill on the ground of its being class legislation and, as I now recall, unconstitutional. It was reenacted in 1913. This not being deemed sufficient by agriculture and labor, the Clayton bill, passed shortly thereafter, undertook to exempt these classes from the provisions of the Sherman antitrust law. I have not examined a decision of the Supreme Court that affects this provision of the Clayton law, but my impression is that that decision gave the exemptions a severe jar; and now we are asked to make the Government do an illegal act in the interest of agriculture and thus create a privileged class. The Haugen bill is a cleverly devised scheme to camouflage the real aim and purpose of certain interests for a direct subsidy from the Government.

Some of the proponents of this measure base their contentions for the bill in part upon the claim that the Government has subsidized manufactures, transportation, and labor. Were this true in its entirety, we would still not be justified in enacting this legislation, for two wrongs never made a right. Besides, this legislation, if enacted, would be a departure from any that has gone before.

It is true that manufacturing has been aided and large aggregations of capital have been built by taxing imports in kind, but such legislation has had the merit of justification as a means for raising the necessary revenue to defray the cost of government. The tariff is not a direct aid, but an incident growing out of a necessity. Prohibitive duties are wrong in principle and are an evil that the Democratic Party would correct and will correct when it is returned to power. I believe, and so has the Democratic Party expressed in every platform that it has ever written, in a tariff for revenue, because it is the least offensive tax that can be imposed, and I am perfectly willing that there should be a corresponding tax placed upon imports of farm production. While holding this view as to imports generally, I have the feeling that the time has come when iron and steel products should no longer be protected by duties upon imports of competitive production. Such a removal of duties upon imports of iron products would enable the farmer to purchase his implements at reduced figures, and more effectually meet the demand of those who believe that swollen fortunes are a menace to society than will high surtaxes on incomes which can be and undoubtedly are passed on to the consumer.

But fictitious values are to be established by the strong arm of the law, and after a proclamation which the President is practically ordered to make it shall be unlawful for any person to import into the United States a competitive commodity and to further fasten this indirect tax upon the American consumer, the President is authorized to fix import duties in such amounts as to prevent competition. There has been a great deal of bad legislation enacted by the Congress under pressure and threats, but I regard this legislation as the most vicious and dangerous of any that has yet been attempted.

The bill provides that the President shall by proclamation terminate the emergency declared when, and only when, the corporation determines that such conditions have ceased to exist, or are no longer controlling. This, of course, means the limit of time, for no Government official has ever been known, or probably never will be known, to declare that his days of usefulness are at an end. The five year limit provided only means that if sufficient strength can be found for the enactment of this law, it, like the rent act and the War Finance Corporation and other emergency war corporations, will be extended by Congress indefinitely. Few of the war emergency corporations have been allowed to die though nearly six years have elapsed since the war, and no possible reason can be advanced for their continuance, save and except to give employment to certain persons at large salaries. The Government is still in the real estate business, the hotel business, the ferry business, the transportation business, and each Congress is adding by law additional bureaus under the insidious urge of minority organizations seeking special privilege. The effect of ths Government ownership of business is to drive out competitive private capital. No individual will or can operate unless at a profit; therefore he will not enter a field occupied by the Government, which avowedly operates not to derive profit, but to supply at cost its product or service. The door of opportunity is by degrees being closed in the face of future generations. It approaches the same ideal as that upon which Russian Bolshevikism embarked only by a different route. The difference being primarily that the Russians adopted the brutal expedient of murder and confiscation while we apply slow poison to private ownership and endeavor. I have it from the Department of Justice that the communists of this country, cooperating with the proletariat of Russia, inject themselves into all kinds of organizations, even the church, and then bore from within.

Unable to overthrow our Government and apply the more drastic method, slow poison is being applied. Social organizations of every nature are encouraged and perfected and the seeds of communism are adroitly sown in these fertile fields. I must say, however, that the American route possesses some advantage over the Russian in that it does not in its incipiency take human life, and the confiscation is by degrees.

CONSTITUTIONALITY

The constitutionality of this legislation may well be questioned, but to mention this inhibition is merely to flaunt a red flag in the faces of some of the proponents of such legislation. Not being a lawyer, any discussion of this phase of the subject would perhaps be academic, and since I know it to be useless I shall not attempt it other than to say that under the provisions of this bill every meat and bread eater in the United States is to be held up by his own Government, to which he has a constitutional right to look for fair and just treatment, in order to pay a subsidy to a small class because of overproduction. The Agricultural Export Corporation, while empowered to declare an emergency in the interest of any agricultural product, will function particularly with respect to wheat, and it will scarcely be denied that the demand for this legislation has arisen primarily among the wheat growers of the Northwest. It is true, perhaps, that as a result of propaganda the wheat growers in other sections of the country have in some measure indorsed this proposition; but the demands through many years past, coming from the Northwest, for special legislation, has been so marked that we may with propriety feel that this movement had its origin in that particular section and is intended for its special benefit. As a warrant for this belief we point to the continual demand from this section for farm aid to the Rural Credits Corporation, the $25,000,000 revolving fund, the grain futures bill—declared by the courts to be unconstitutional—a loan of $2,000,000 for the purchase of seeds in 1919 because of a drought. Again in 1921, for the loan of $1,000,000, claiming another drought, and the consequent inability of the farmers to purchase seeds with which to replant, and I recall the statement made upon this floor at that time, that the average yield of wheat of those States was greater than the average yield of other States in the Union. I may say that these loans have only been repaid in part, and probably will not be repaid in full. It is not my purpose to reflect upon the good intentions of any person or group of persons, State or group of States. Self-preservation is the first law of nature, and naturally when suffering one looks for relief from whatever source it may be had, and I would not refer to the matter at all were it not that this legislation would require the people of my State to be indirectly taxed for the fundamental necessities of life that a subsidy may be given to the people of a section whose principal moneyed crop suffers temporarily from overproduction. The ease with which the Federal Treasury can be raided has prompted many classes exemplified by minority organizations to demand their share of the plunder, for the accomplishment of which Congressmen have been freely and unhesitatingly threatened.

Permit me to say that the greater part of my savings through 40 years of self-denial and toil have been invested in agricultural lands that are well adapted to the growth of wheat and stock, but those lands are now idle, the ditches are filling, the fences are decaying, and the houses in need of repair because

the cost of production exceeds the return from the product. Nor have I safe deposit boxes bulging with tax-exempt, interest-bearing securities to sustain these losses. Should this law be enacted, perhaps I could for a while raise wheat and pay the carrying charges of my investment; therefore, my personal interest might suggest support of this legislation.

This statement is of no interest to my colleagues, and I have made it only that they may carry the thought that personal interest does not enter into the equation of my opposition to this kind of legislation. On Tuesday, May 13, the gentleman from the tenth district of Wisconsin, with his usual energy, antagonized the purchase of the Cape Cod Canal at the sum of $11,500,000. He claimed that the few lives lost on the coast of Cape Cod which might otherwise be saved by the use of the canal in question did not amount to the number of lives lost in the city of Washington in one year through and by automobile accidents. He did not seem to consider this to be of moment, nor the loss of property incident to the dangers of this navigation, or of time and delays to the movement of our large coastwise trade. Whatever may be the value of this property, its owners have persistently refused to accept less than $11,500,000. The only other legal method, therefore, by which the property can be acquired is to condemn the same. Such proceedings have been instituted and a jury of citizens determined the value to be $16,000,000, and so the question of its value capitalized on its present earning capacity does not enter into the equation. This canal will be a connecting link in the intracoastal waterway from Boston to Florida, a project that has been entered upon by our Government. A large portion of the waterway has already been completed at the expenditure of many millions of dollars. Congress has a constitutional grant of power to control navigable waters and interstate commerce; the expenditures for this purpose therefore are entirely constitutional, and since the people along the Atlantic seaboard are, of one accord, desirous of developing this waterway, it would seem that they are entitled to have it.

When the gentleman from Wisconsin was asked if he favored the enactment into law of the McNary-Haugen bill—the constitutionality of which I question—with unusual vehemence he asserted that he did. We can readily understand the gentleman's attitude in advocating this measure, since it will add hundreds of millions of dollars of wealth to that section of the country from which he comes, and relieve frozen credits by taking $200,000,000 from the taxpayers of the Nation as a whole, to be used in functioning an operation that will beyond question place an additional burden upon the bread and meat eaters of this country of not less than $1,000,000,000 annually, or three billions, as stated by another Representative from Wisconsin. It was suggested that while the Cape Cod Canal purchase would require $11,500,000, that the McNary-Haugen bill carried $200,000,000, the gentleman from Wisconsin replied that "It will not carry anything like that amount," an error to which I respectfully call his attention. The gentleman reminded us further that "The people where I live are just as well to do as the people of Virginia, and just as able to take care of themselves." If this statement be true—and it is—it would seem inconsistent that the gentleman should demand the legislation in question at the expense in part of the people of my State, which, I readily confess, does not possess the wealth of the State of Wisconsin, and even of other States that are clamoring for this legislation. The population of the State of Wisconsin is 2,632,067. Its assessed valuation, subject to general property taxes as submitted by a bulletin released by the Bureau of the Census for the year 1922, was $4,166,885,816.

The population of Virginia is 2,309,187. Its assessed taxable valuation was $1,690,539,515. The State revenue and its subdivisions for Wisconsin were $127,889,640, while those of Virginia were $46,799,433, but when we come to the revenue paid to the Federal Government we find that Wisconsin paid for the year 1923, $37,466,336.57, while poor old Virginia paid $40,205,124.46. I submit that it is not quite fair, therefore, that the bread eaters of Virginia, who do not want this legislation, should be taxed in order to aid his bankers in liquefying the frozen loans of $455,000,000 on farm mortgages in the State of Wisconsin, which can hardly be termed a wheat-growing State, its production in 1923 being 1,950,000 bushels. With no intention, as heretofore stated, of reflecting improperly upon the people of any State, it will probably be interesting to carry these figures somewhat further. I shall select for the purpose of expressing my thought seven States in the Northwest which are particularly clamoring for this legislation and which will be more particularly benefited by the proposed legislation than the people of any other group of States, due perhaps to financial embarrassment as a result of exaggerated financing, viz, Montana, Idaho, North Dakota, South Dakota, Iowa, Nebraska, and Minnesota.

The aggregate debt of these States and their subdivisions in 1922 was $737,579,494. The farm-mortgage debt as estimated by the Bureau of the Census, 1920, was $2,778,320,000. The State revenues from all sources aggregated $431,308,140.

The average number of licensed automobiles is one to every 4.9 persons. These are staggering figures and indicate very plainly that the entire pecuniary distress of the people of these States is due not so much to the low price of wheat as to the extravagance of their people in the taxes laid, money borrowed by the States and subdivisions, farm mortgages, and in the luxury of automobiles. I do not object to every person in each of the States enjoying the luxury of an automobile, provided you do not take from my State, the people of which can afford only one automobile for each 10½ persons, to sustain this luxury. Whenever and wherever we spend more money than we have, financial distress is inevitable. We find that the wheat grown in these seven Northwestern States for the year 1923 amounts to 234,692,000 bushels out of 785,741,000 bushels grown in the United States, and in 1922, 347,185,000 bushels out of 867,000,000 bushels, or one-third of our entire production. Taking the average of these two years, 281,000.000 bushels, and multiplying the same by 59, the increased price that is to be placed upon wheat, we find that the American people would be giving an annual gratuity of $165,790,000 to these people in order that they may assist in an overproduction that we do not need.

These figures are very suggestive and apparently do not warrant us in taxing the people of the more frugal States to rehabilitate the unwise extravagance of others, and I find in no part of the Union such heavy expenditures and obligations per capita for public and private purposes as we find in these seven States and perhaps a few others bordering the Rocky Mountains.

There may be other grounds, however, for the intense agitation for this legislation. Judging from the letters which I have received from the western country I should say that the bankers are more interested even than the farmers. They have evidently departed from the ways of conservatism and reasonable banking methods as laid down by the experience of ages. The money of their stockholders has been loaned upon insufficient security. These obligations, owing to heavy taxes, automobiles, and other causes, have become frozen, and now the bankers are confronted with failure or help from some source to overcome the results of mismanagement, and so they are looking to the Government for relief. Let us compare the resources and obligations of seven of the Southern States to those just enumerated, namely, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, and Mississippi. The population of these seven Southern States is 14,555,131, as against 8,350,410 of the States previously mentioned. The aggregate State debt is $636,077,938, as compared to $737,579,494. The farm mortgage debt is $406,560,000, against $2,778,320,000. The State revenues are $272,201,041, as against $431,308,140. The assessed values are $8,470,052,194, as against $11,559,677,868. The number of automobiles in these States is 1 to every 10.6 persons, compared to 4.9; less than one-half of that in the Northwestern States.

While the assessed values of these seven Southern States is slightly over two-thirds as much as those of the seven Northwestern States, we find that the tax collected by the Federal Government is $231,404,202.13, or 8.8 per cent of the entire revenue paid to the Federal Government, while the revenue collected from the seven Northwestern States for the corresponding period was $67,911,191.93, or 2.4 per cent of the entire revenue collected. The revenue collected from the 17 States east of the Allegheny Mountains, including West Virginia, situated principally in the mountains, is 58 per cent of the total revenue of the Government, and the population amounts to 43,214,754.

It would seem, therefore, that the gentleman from Wisconsin is not overmodest in opposing an investment of $11,500,000 for the intracoastal waterways from Boston to Florida, of which the States directly interested will pay 58 per cent of the cost. Of the $200,000,000 that is to be taken from the Treasury as an operating capital to fix the price of wheat and other basic products, $116,000,000 will be taken from the taxpayers of the Atlantic seaboard, while only $5,000,000 will come from the seven States that are to be most benefited by the legislation. I am perfectly willing that the people of the Northwest shall enjoy every benefit and every advantage and every privilege that is given to the people of every other State or section of the Union. I am entirely willing to go even beyond this and support the expenditure of hundreds of millions of dollars for the devel-

opment of our inland waterways, in order to reduce the cost of transportation for that which they produce and upon the supplies which they must purchase in return, but I am unwilling to tax the people whom I represent and who do not need this legislation or want it in order to pay a subsidy to the people of any other State or group of States and place an additional indirect tax of $600,000,000 per annum upon the bread eaters of America; and if we add to this the meat consumed with the ratio price to be added by the corporation we will easily place a burden of $1,000,000,000 upon the bread and meat which must be consumed by the American public.

Mr. STRONG of Kansas. Mr. Speaker, in this debate we have heard our friends from cities where the grain exchanges and packers are located, tell us how this bill will hurt the farmers by raising the price of farm products on the people who live in cities, and advise us that farmers will grow rich if they will only diversify their crops.

I wish to present a statement prepared by P. T. Strom, of Republic City, Kans., who lives in a rich agricultural county of my district, where the farmers diversify their crops and produce cattle, hogs, poultry, cream, and eggs, which will show our city and New England friends what is the matter with the farmer and why of all the classes of this Nation he is unable to prosper as he deserves to prosper, and why the purchasing value of the farmer's dollar is worth only about 60 cents, as compared with the value of that of all other industries.

A comparison of the 1914 buying and selling prices, and 10 years later, 1924, buying and selling prices from the Kansas farmers' standpoint

Implements	1914	1924
Hand corn sheller	$8.00	$17.50
Walking cultivator	18.00	38.00
Riding cultivator	25.00	62.00
One-row lister	36.00	89.50
Sulky plow	40.00	75.00
3-section harrow	18.00	41.00
Corn planter	50.00	83.50
Mowing machine	45.00	95.00
Self-dump hay rake	28.00	55.00
Wagon box	16.00	36.00
Farm wagon	85.00	150.00
Grain drill	86.00	165.00
2-row stalk cutter	45.00	110.00
Grain binder	150.00	225.00
2-row corn disk	38.00	95.00
Walking plow, 14-inch	14.00	28.00
Harness, per set	40.00	75.00

Threshing wheat, per bushel, 1914, 5 cents; 1924, 8 cents.

Labor by day, week, or month, up about 60 per cent.

Freight rates on corn from Republic to Kansas City, 1914, 11 cents per 100; 1924, 16 cents per 100.

Wheat, 1914, 12 cents per 100; 1924, 17 cents per 100.

From the above you will see that the cost to the Kansas farmer of raising a crop has about doubled in the last 10 years, while the income from the sale of the crop remains the same and in some cases lower than in 1914.

Below are the local market prices on wheat, corn, hay, beef, cattle, and hogs, April, 1924, compared with 10 years ago. The 1914 prices are a part of my own record and the rest were taken from the State agricultural report for that year.

Wheat, per bushel, 1914, 98 cents; 1924, 95 cents.

Corn, per bushel, 1914, 60 cents; 1924, 60 cents.

Hay, per ton, 1914, $10; 1924, $6.

Cattle, per 100 pounds, 1914, $6.30; 1924, $6.

Hogs, per 100 pounds, 1914, $7.60; 1924, $6.50.

Mr. MAJOR of Illinois. Mr. Speaker, I shall avail myself of the few minutes at my disposal to make some observations with reference to the present agricultural situation. I suspect those of us who were reared on the farm and who have remained in close contact with those who till the soil have a more vivid understanding of their state of mind at this time than those of our colleagues who have spent their time and activities in the congested centers of our Nation.

The fact that 40 per cent of the population of this great country are engaged in agricultural pursuits—making it the greatest business of all—and that this mammoth industry is now on the verge of financial ruin and disaster surely is a proposition of such proportions as to challenge the most earnest consideration, not only of those in official responsibility but others as well, and this irrespective of sectional or local interest. It is not a local or sectional matter, but a national question of supreme importance and should be dealt with and considered as such. The impression seems to be prevalent here that this disturbing situation exists only in the West and Northwest, in the great wheat-growing regions of this land, and that the situation is occasioned largely by reason of the fact that the farmers of those sections do not practice diversified farming. That this is an erroneous conclusion, both as to the area affected and the cause, is quite evident to me. The President, in his message addressed to the Senate under date of January 23, evidently labored under a misapprehension both as to the extent of the affected area and the reason therefor. It is quite apparent from the tenor of his message that he referred only to the farmers of the Northwest, and suggested diversified farming as the relief. I quote from his message of that date:

> Great numbers of individual farmers are so involved in debt both on mortgages and to merchants and banks that they are unable to preserve the equity of their properties. They are unable to undertake the diversification of farming that is fundamentally necessary for sound agricultural reconstruction of the area. They are unable to meet their obligations and thereby has been involved the entire mercantile and banking fabric of these regions. Not only have there been large numbers of foreclosures on actual farms, but there are great numbers of farmers who are continuing in possession on sufferance from their creditors.

In the district which I have the honor to represent—one of the great districts of the State of Illinois—which includes within its boundaries the capital of that Commonwealth, with all its historic traditions, the climate is suitable and the soil adapted to the raising of all kinds of grain and stock, and these products are raised in abundance, and if the farmers of the great Northwest are in any worse circumstances financially or any more discouraged at the present time than those of my district, then, I say, God pity the farmers of that section. Diversified farming, where practical, is of benefit to the farmer in so far as it enables him to overcome the uncertainties of climatic and weather conditions, as well as attacks from insects and the many other contingencies with which he has to deal that limit or prevent him from producing certain crops during one season when he may be able to successfully produce others.

But the President's message, as well as the many able speeches which have been made upon this floor, leaves no ground to doubt that this is the most important proposition before the American Government to-day. The revenue question and the many other important matters with which this Congress has dealt, fade into insignificance when compared with this problem which we are now considering, and this is true for the reason that the very foundation of all prosperity and good times for all of our people rests primarily upon agriculture.

The first question that presents itself to my mind is, What has brought about this situation? Is it the fault of the farmer? This query needs no answer. A beneficent Creator sends the rain and sunshine as in times gone by. The farmer, his wife, and family toil from early morning until late at night, more effectively than formerly because of improved machinery and the modern methods employed. He harvests his crops and attends his stock and at the proper time places them upon the market to be converted into food and clothing only to discover to his chagrin, discouragement, and financial embarrassment that the proceeds from his efforts are not sufficient to provide for him and his family the bare necessities of life, to say nothing of the comforts and conveniences to which he is entitled, interest on his investment, or profits from his business. No other business in this land could long survive under such conditions, and neither can the agricultural business. We are told this condition might be expected to follow in the aftermath of the great World War and this may be true. At any rate there is no doubt in my mind that the condition may be attributed largely to the demoralized condition of the markets of the world.

Another condition which enters into the situation is the fact that the farmers are compelled to compete on all hands with organized industry, while they are not sufficiently organized to successfully compete with such efforts. The price of everything they buy is fixed, while they have practically nothing to say with reference to the price they receive for their products. With the considerable amount of attention I have paid to this situation, I am unable to conceive how the farmers will ever be able to hold their own, competing with organized effort on every hand, until they become organized in the same manner and to the same extent as those with whom they compete. Owing to the diversified nature of their business this is a difficult objective for them to achieve, but whether or not they are able to solve this proposition in the future, the fact remains that they are not sufficiently organized at this time, and as a result the situation with which they are confronted

does not merely concern them as a class, but must be of concern to the Nation as a whole.

Realizing the situation, as we do, how are we going to solve it? Many bills have been introduced during this session of Congress seeking to provide relief and, of course, were referred to the Committee on Agriculture. That committee, with its learned and distinguished members, after many weeks of hearings and consideration, have reported to this House with a favorable recommendation the measure now under consideration, known as the McNary-Haugen bill. It is not my purpose to go into any detailed discussion of this measure. For several days we have listened to the most able men of this House discuss its merits and demerits, and no one will question the statement that every conceivable objection has been made against it, some of which possess much merit, many of which are frivolous in their nature. It must be kept in mind that it is offered as an emergency measure to meet a drastic situation, and with that proposition in mind many of the objections made will not hold, which if made to a measure not designed for an emergency would be entirely tenable and worthy of serious consideration. Surely, no one will deny that the producer of agricultural products is entitled to receive the ratio price described in this bill or, in other words, to receive for his products a sufficient price as will enable him to purchase those things which he must have on the same basis that he did during the period from 1905 to 1914. That is a proposition, to my mind, so fundamental as to need no argument. It is a matter of plain justice, to which the farmer is entitled, and which he must have if he is to survive.

But we are told that this will increase the cost of living to all others of our population. This no doubt is true, to some extent, at least, but even conceding that it will, this does not alter the justice of it, and surely the consumers of agricultural products are willing to be charged on this basis. That they are willing to do this I am convinced by the large number of letters and telegrams I have received from my constituents who live in villages and cities and who are aware of the fact that the prosperity of us all depends upon the prosperity of the farmer.

And in this connection I desire to call particular attention to the attitude of organized labor with reference to this bill. I have in my possession a copy of a resolution passed by the joint labor legislative board of Illinois, representing seven different labor organizations, including the United Mine Workers of America and the Railroad Brotherhood, indorsing this measure; and I quote this very pertinent paragraph from that resolution:

> Inasmuch as the Government has seen fit in the past to protect and assist various business and financial institutions, it appears only fair that Congress would heed the plea of the farmers in giving them some measure of relief at this time.

The resolution then goes on and definitely indorses the measure now under consideration. I think I might say that this is the most unselfish act on the part of any organization I have had called to my attention during this session of Congress. It demonstrates that organized labor in this country concedes to the farmer what it has claimed for itself—that is, a price for his commodities that will make him a happy and contented citizen—and other elements of our population might well embrace this theory.

Another criticism which has been urged perhaps more forcibly than any other is that if this measure becomes a law it will greatly increase the production of farm products, but this does not strike me as being a very forcible criticism for several reasons. In the first place, if this law were in operation it would not place the farmer in even as good a position as he was during the period of 1905 to 1914, for the reason that, although it is said the purpose of the measure is to give the farmer's produce the same exchange value it had during the 10-year period above referred to, that is hardly correct, for there would have to be deducted from the price received for his products the operating expenses of the export corporation provided for in the act; yet if it were precisely true that the farmer would be placed in as good position as during the 10-year period, I do not believe that his prosperity during those days was such as to make the farming business more alluring now than it was then; and if this be true the question of overproduction now would be of no more concern than it was during that period. Another thing which will lessen the incentive for overproduction, if not entirely eliminate it, is the check provided for in the bill by reason of the equalization fund, which would increase as overproduction increased, the result of which, when properly understood by the farmer, would be to minimize production.

Our colleagues generally, who are opposing this measure on this ground, state they are supporting or willing to support bills, either now before the committee or any other reasonable proposition that might be devised to meet the emergency, but any proposition which meets the situation and puts the farmer on a level with other elements of our population would be subject to this identical criticism—that it would lead to greater overproduction than we now have.

These two objections—that is, that the measure would increase the cost of living and cause an overproduction of farm products—are the most potent objections made. There are others, of course, which may be regarded as serious by some, but are not generally so considered. For instance, it is said the measure is contrary to the laws of economics, a departure from the fundamental principles of government, is class legislation, is unsound in principle, and will prove detrimental to the farmers rather than beneficial. These objections must fall by the wayside in view of the emergency which exists and, further, in view of the fact that Congress has ignored these principles in legislating for other classes of our people. Does anyone claim that these same objections are not applicable to the present tariff law—the highest ever known—which protects the manufacturer and enables him to impose a burden upon the American consuming public to the extent of $4,000,000,000 a year; the transportation act, which enables the railroads to fix their rates at an amount that will allow them a decent rate of interest on their investment; or the immigration law, which is the great protector of organized labor and which enables them to protect themselves against the cheap labor of the Old World?

The theory of this measure, as I understand it, is to enable the farmer to do for himself what we permit the manufacturer, the railroads, and labor to do for themselves. It will enable the farmer to take advantage of the tariff, which he is not able to do at the present time for the reason he produces a surplus, which is sold abroad, and the price of his entire output, both that consumed at home and abroad, is fixed by the world market. In this connection I desire to quote from a letter relative to this situation which I received from the Hon. James M. Graham, a former Member of Congress from my district, who will be remembered by many of the Members here as one of the outstanding figures in this House for many years and who is noted for his sound judgment and thought. Among other things, Mr. Graham said:

> Of course, the scheme is unsound in principle, but sound principles hardly constitute a test of legislation any more, and the farmers are suffering so severely that they can not continue to stand for sound principles when every class in society is robbing them through methods based on unsound principles.
>
> The protective tariff, which is based on thoroughly unsound principles, takes care of its beneficiaries, and the farmer is not and never has been one of its beneficiaries. The labor unions take care of their members through their organizations; secret understandings and agreements care for still others, and all these secure for the beneficiaries artificially high prices; but there is no scheme to care for the farmer, and he seems incapable of devising a practicable one.
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> The tariff beneficiary adds a large part of the customhouse duty to the price of his goods and passes it along down the line to the consumer. The employer of labor adds the increased wage cost to the product and passes the increase along to the owner of the building constructed or to the consumer.
>
> The agricultural-implement manufacturer and the other manufacturers add the high wage costs and the other high costs to the price of the article and they fix the price on it. They all tell the consumer what he must pay, and the increased price is passed along the line until it finally reaches the farmer, who is the only producer of new wealth, the only one who converts sunshine and air and moisture and soil, etc., into food, etc. He has no one to pass the burden to, hence has to carry it, and the load is killing him. But his exploiters had better beware or they may duplicate Samson's feat of pulling down the building, to their detriment as well as the farmer's.
>
> The farmer is the real foundation of the structure we call society. In the whole social fabric, as stated, he is the only original creator of wealth. The banker, the manufacturer, the merchant, the artisan, the professional man, and others rest ultimately on agriculture—on the farmer—and if he, the foundation, is crushed, what will become of the superstructure? Surely they are all interested in his welfare even though they show no sign of thinking so.
>
> As to those farmers who have hugged the delusion that a protective tariff was helping them, one might almost say it serves them right. Some of them have been so deluded by the protection idea as to be wholly bereft of both perception and reason. It is hardly exaggeration to say that the tariff chloroformed them while it robbed them. Wage earners in the past—and to some extent yet—were sufferers

from it, but they discovered the situation and offset it by organizing unions and by securing legislation limiting immigration.

Then the wage earners placed themselves on a level with the tariff beneficiaries by securing, through organization, artificially high prices for what they had to sell—their labor. Indeed, with the exception of the farmer our whole economic scheme—if it can be fairly called an economic scheme—is purely artificial. Every class is "passing the buck" to the others until finally it reaches the farmers, and they have no one to pass it to.

It is folly or martyrdom to talk about the application of right principles and of sound economic laws in such a situation. The operation of economic laws is practically suspended by tariffs and by labor unions and by combinations and secret understandings as to prices. The farmer is practically the only exception to the rule. Through organization or understandings the other classes are, as it were, walking on stilts, taking about 10 feet to a stride, whereas the farmer is still walking on his natural legs, taking 2 or 2½ feet to a stride. Naturally he is getting left. Now, walking on stilts is not a natural form of locomotion, but if "everybody's doing it" but you, you will *soon feel compelled* to get on stilts too and fall in line, or fall by the wayside.

There is little hope that Congress can swing all the other interests to a truly economic basis very soon, but the farmer can not wait long. He must get relief quickly or it will be too late, and while, as I said in the begiming, this bill is unsound in principle, since that unsound principle is now receiving general application, I see nothing for the farmer but to get in the band wagon with the rest. Then maybe after a while they could all work around to a sounder and surer economic basis.

I agree that the result of this measure in operation is, to a considerable extent, a matter of speculation. In other words, I doubt whether any person knows just what the effect of the operation of this measure would be. But that statement can be made with reference to every measure enacted into law, and I think has been made concerning every question presented to this Congress. A few months ago we were told, and it was carried in headlines by the press throughout the country that the revenue bill as it passed the House would produce a deficit in the United States Treasury of $600,000,000, and this exclusive of an adjusted compensation for World War veterans. Since that statement was heralded throughout the land the adjusted compensation bill has been enacted into law, and now we are told by responsible men in both parties that the revenue bill as enacted will produce sufficient revenue to meet all the operating expenses of the Government, including the cost of adjusted compensation, with a surplus remaining. We were also told we could not have tax reduction and the adjusted compensation law, yet the present revenue bill provides for a greater reduction than the Mellon plan after caring for the expenses incurred by the enactment of the compensation bill. I seriously doubt whether Mr. Mellon or any man in this Congress can to-day come within $100,000,000 of estimating the amount of revenue this bill will produce.

I merely cite these instances in connection with my statement that the effect of all important legislation is, to a considerable extent, a matter of opinion and speculation. If responsible men who are informed and have made a long study of revenue and kindred questions differ as to the amount of revenue a certain bill will produce as widely as they have in this Congress, how can it be said that a serious objection to the measure under consideration is that the result of its operation is uncertain and speculative? Those who are experts on agricultural conditions, including Mr. Wallace, Secretary of Agriculture, who have given much serious thought and consideration to the matter, say that the plan is workable and will accomplish its intended purpose.

The farmers and people generally of my district in Illinois are for this measure in no mistaken terms. I doubt whether there are many congressional districts in this country where the farmers are better organized or better informed as to matters which concern them than they are in the twenty-first district of Illinois. They have not only rubber stamped this proposition, but they have given it serious study, are well posted as to its provisions, and their opinions as to its effect if it becomes a law are entitled to much weight. They are for it because they think it will help them. Can I do less, as their representative—vitally interested in their welfare—than to support the measure, hoping it may become a law and that we may learn from actual results that it will accomplish what its sponsors claim? If so, the farmers will be carried through the present emergency and landed in a position where they can take care of themselves.

It is being freely predicted in the newspapers and around this Capitol that this measure can not pass, and if it did the President would veto it. Notwithstanding this situation, and with nothing to offer in its place, Congress is preparing to adjourn on the 7th of June. That time is fixed so the Members may attend the national conventions at Cleveland and New York, where our platform makers will indulge in the quadrennial pastime of writing a plank announcing to the world what devoted friends of the farmers we are. It is inconceivable to me that the administration in power—in case the McNary-Haugen bill fails of passage—would even consider the matter of adjourning this Congress until the present emergency has been solved. We are told by some of our Democratic colleagues that this responsibility is entirely upon the party in power, but in this thought I can not concur. The responsibility is upon all of us, regardless of politics, and we are all going to be held responsible by the American farmers, and that irrespective of political affiliations.

It is said by some that no legislation can be passed that will meet this emergency. There may be some logic in this line of thought, but if there is, in view of the platform promises made in the last campaign and in view of the platform promises that are likely to be made in the near future, common honesty and good faith demands that this Congress stay on the job until we have exhausted every resource to enact legislation that will adequately meet the present emergency, or until such time as this Congress and this administration are willing to acknowledge to the American farmer that we are impotent to meet the situation. The proposition is of huge proportions, one that we can not escape by adjourning next week and going home, and one that demands we remain in session until we solve it, or until it is apparent it can not be solved. In the former event we might expect to receive the plaudits of not only the farmer but all those who believe in a square deal for him; in the latter event we would at least get credit for being honest and acting in good faith.

Mr. WILLIAMSON. Mr. Speaker, everybody recognizes that the price of farm products is disproportionately low. Thirty-five per cent of the American people are directly dependent upon the farm for a living. In many localities their buying power has practically disappeared. They can not pay their debts, and tens of thousands of them are losing their farms by foreclosure or by voluntary transfers to their creditors. In my own congressional district alone there were 2,496 foreclosures during the year 1923 and the first three months in 1924, involving the sale of more than one-half million acres of farm land. This record of forced sales is by no means an isolated one, but is common to the entire spring-wheat area. A situation closely paralleling this condition exists throughout most of the Middle West. The disaster that has overtaken our banks is directly due to the collapse of agriculture and not to inefficient banking, as is commonly charged.

A vast building program incident to the stopping of construction during the war and capacity production by our factories since the enactment of the Fordney-McCumber tariff law have kept labor busy at wages so high as to be without parallel in history. Outside of the agricultural industry there has been unbounded prosperity. This prosperity, however, can not continue a great while longer unless the buying power of the American farmer is restored. It can not be restored unless he be given the same protection as is given to industry and labor.

Where would our industries be to-day with free trade? Where would labor be with unrestricted immigration? Not only have capital and labor been protected by legislative enactments, but both are organized to take full advantage of their favorable situation thus created by limiting supply, output, and hours of work. The much-talked-of law of supply and demand has all but ceased to operate. Yet there are those who insist upon this floor that the law of supply and demand must control as to the American farmer. They forget that even the operation of this law is denied him. He buys in a fully protected market and pays artificially stimulated prices, and in many cases is compelled to sell his produce at artificially depressed prices. The middlemen and processors get the lion's share of what the consumer pays. Yet in spite of these well-known facts violent opposition is aroused by any constructive suggestion that involves Government aid in marketing. The McNary-Haugen bill does not interfere any more with the law of supply and demand than do the tariff, immigration, or some other laws that might be named.

The farmer is condemned for seeking relief through legislative means and is told to organize, to reduce production, and to limit supply. This all sounds very well as an alibi, but affords mighty little comfort to the fellow who follows the plow. To cut down production to the bare necessities of the Nation with no surplus to tide it over in the event of crop failure is to encourage a situation which is manifestly fraught with great danger to our people. Shall we invite here the

terrible calamities that have from time to time overtaken European and Asiatic States? The advice to cut down production to our bare necessities is insanity itself for the simple reason that there is no dependable source of supply from the outside of our borders. Cooperative marketing, to be really effective, must be sufficiently well organized and financed to completely dominate the supply sent to market. Manifestly such organization among agricultural producers can not be effected for years. That this will be the future development in agriculture can not be doubted, if the farmer is to continue to buy in a protected market.

In the meantime, I conceive it to be our duty to assist the farmer in securing a fair price for his products. The McNary-Haugen bill is the only concrete proposal that promises any immediate and real relief. It is no argument to say that it will increase the cost of living. If we can afford to pay artificially enhanced prices for manufactured goods and for labor, we can afford to pay the farmer a decent price for the essentials of our existence.

On February 2 I spoke at length upon farm relief and analyzed the provisions of the bill now under consideration. It is not necessary to repeat that analysis here as the purpose of the bill is now well understood by the Members of this House. All that the farmers are asking through this measure is to give agricultural commodities and livestock the same purchasing power in nonagricultural products as they had on the average during the years 1905 to 1014 inclusive. Is there anyone here who will contend that this request is unreasonable?

Gentlemen, this is the only request submitted by agriculture at this session. It ought to be granted by this Congress without further delay. It is due to that splendid hardworking portion of our people without whose continued production we can not live.

Mr. WINTER. Mr. Speaker, a nation can not continue half prosperous and half ruinous. Sixty per cent of our people can not be permanently and profitably engaged in their business when 40 per cent receive no return upon their capital investment and labor unprofitably. Where 40,000,000 people have practically no buying power, 40 per cent of the products of 60,000,000 will find no market.

For the last two years labor, commerce, manufacture, and transportation have flourished to an unprecedented degree. The charts and statistics so prove and it is an admitted fact. On the other hand the price of agricultural products in comparison has been and is at the opposite extreme. Agriculture as a whole is at the lowest ebb ever reached in the country's history. We are informed by the report of the Secretary of Agriculture that in 15 States 26 per cent of the wheat farmers are bankrupt or subject to bankruptcy. In six States an average of 50 per cent of the farmers are bankrupt. Because of agricultural distress in four years 1,357 National and State banks were closed, with liabilities of $500,000,000. Two hundred and sixty-five banks went under in the first three months of this year, with liabilities of $100,000,000. It can not be disputed that practically all of these failures were directly due to the depreciation of the value of farm lands, products, and livestock. All other industries show a price level and prosperity, indicated by an average of 170 as compared to a standard of 100 in 1913, whereas agriculture stands at 117.

For three years the farmer has suffered by reason of some cause or combination of causes until the industry is at a point of collapse and bankruptcy. No replacement of new people in ownership or operation by foreclosure of mortgages and sales on our farms would help even were it possible. Our agricultural population remains identical, so substitution is impossible. The cause of this ruinous condition lies not in the farmers themselves nor the remedy in anything they can do. Had there been a remedy within their power it would have been applied. The President has not overstated the severity of the emergency.

When we find the cause or causes it should be possible to provide the proper remedy. Diagnosis must precede treatment. There is and has been for many years in our history an American business policy, a national system designed to raise, and it has raised, by Federal legislation the standard of living above that of the people of other nations of the earth. We have protected our wage earner against the cheap, ignorant wage earner of the world; we have protected our manufacturers so they could pay an American wage and still make an American profit. This we have done by the tariff upon imported goods. We have protected labor further in its safety and its hours of work, by direct legislation such as the Adamson law, and by direct relief from competition at home by the restriction of immigration. Since 1922 labor has been universally employed at the highest permanent level of wages it has ever known. The manufacturer has been going at full speed. The builder has constructed and is still constructing hundreds of thousands of homes, apartments, and business buildings. Railroads have hauled the greatest of tonnage.

We have protected agriculture in the past and up to this time in a lesser degree by the tariff upon such products as are imported and by increasing the purchasing power of the wage earner by employment and high wages. While the farmer has been generally prosperous, as a rule in the past, under the amount of protection afforded him, his prosperity was not primarily out of the profit of his crops but out of the increase of the value of his lands by reason of a rapidly increasing population and a consequent demand for land. A large body of that increase of population was by immigration. We have cut off that cause and that profit. The profit on crops and livestock which was possible to the farmer in the pre-war and mid-war periods have been reduced to less than nothing by the aftermath of the war, which exposed him directly to the cheap world market on his export surplus of wheat, corn, cattle, swine, and their products. Some other year it may be some other product. Another time it may be cotton, rice, and dairy products, or other basic agricultural products.

There is no logical reason for omitting products which do not happen to be in the surplus-export class at this time and there is no logic in opposing the bill because such other products are included and named therein. When cause as to a given product exists the bill operates. When cause does not exist it does not operate.

The world price not only fixes the price of the surplus but it also fixes the price for the great bulk of the products consumed in the United States and this is the source of four-fifths of the depression. For this reason the manufacturing, transportation, commercial, and labor interests have been more prosperous in the last few years than in almost any period of our history, while agriculture has been sinking to ruin.

We have maintained all other lines of industry at a high American level. We have protected them effectively. We are now in all fairness and justice bound to give agriculture the same effective protection. We see that protection in part does not suffice; it must be complete; it must give the American farmer an American market and price for his crops of which there is a surplus.

It is probably true that in thus assisting 40,000,000 of our people the other 60,000,000 will pay to the American farmer a sufficient additional amount for our food products to make the difference between loss and profit. Why should they not? And why should they not be willing to do so? As a matter of justice and equity the consumer should be willing to pay a living price to the producer. That is a plain principle of American fair play. As a matter of common sense, as a matter of policy, aside from common justice, labor, transportation, industry, manufacture, and those dependent thereon should see the manifest fact that in the long run if things are not so adjusted as to enable the farmers to make a living and a profit the 60,000,000 will be dragged down to the level of the 40,000,000.

The New England manufacturer who owns the spindle and the wage earner dependent for work and wage on that spindle should recognize the inevitable consequence of a continuance of present farm conditions, which will be the stopping of that spindle. In the very nature of things it must stop if the farmer can not buy the product of the spindle. The gentleman from Massachusetts tells us that already spindles are stopping. And yet he opposes this bill. His viewpoint is so narrow that he does not perceive the cause. That cause we are trying to remedy by this bill. Let him realize that it is far better for the interest of his constituents, his mill owners and their employees, that they pay slightly more for their food products and keep the spindle spinning. The other alternative is stagnation and no money to buy food products even at the depressed, debased un-American world price.

The transition of producers into consumers, from the country to the city, from the field to the town, simply means the abandonment of farms and acres and congestion of labor at the counter, forge, and at the spindle. Let no man suggest that this is nature's remedy and that the situation will thus cure itself, for that involves loss, cut-throat competition, labor trouble, and ultimately an even higher living cost for food products for all. During the past year this movement has taken place to the extent of 100,000 per month, a total of twelve hundred thousand. This remedy means the loss and going back to wilderness conditions of thousands upon thousands of farms developed from the raw state by the brawn and toil, the self-denial and sacrifice of the pioneer. This is wrong economically, unthinkable, and unrighteous. There is a surplus of some products for consumption in the United States, but the world

needs every pound and bushel American soil can produce. There are many hungry mouths in many places of earth.

I am in favor of the passage of this McNary-Haugen bill, because there is an emergency, because it will elevate to its rightful and proper position the great agricultural industry, a universal industry, comprising nearly one-half of our total population; because it will give to the farmer the same effective protection we are granting to all other industries; because agriculture, as well as labor, manufacture, and transportation, is entitled to an American price for its products.

I believe that the bill will work; that it will achieve the intended results. It asks no appropriation, no subsidy, no charity from the American people. Because of the vast number of persons engaged in agriculture and the raising of livestock, making it impractical and impossible for them to organize and thus serve themselves, as is done by all other industries which can be and are organized, it is necessary that the Federal Government be made the instrument by which the farmer can act nationally.

The fund of $200,000,000 asked of the Government, under the supervision of boards including Government officials, is a necessary advance which is to be, and will be, repaid by the farmer out of the proceeds of his products. Not only is it to be returned to the United States Treasury, but all the costs of operation of the export corporation and the export commission which will constitute all of the operating machinery will be paid out of the same proceeds. Why should this relief be not granted? Who would deny this relief, and why? If the voice and the vote of the whole American people could be taken to-day it would authorize this legislation by an overwhelming majority. They would say by their ballots we are willing, not out of generosity, not out of sympathy, not out of charity, but because of equity and justice to pay this small increase in our living costs, this small percentage additional for our food products, in order that agriculture and 40,000,000 of our fellow Americans shall receive a profit upon their capital and their labor and enjoy that same degree of protection under our American system as is granted to us.

Mr. ROBINSON of Iowa. Mr. Speaker, agriculture is the world's best and most necessary business. Farming is the world's best and most necessary work. If agriculture does not succeed, what can succeed? Labor, capital, business, and the professions all depend upon the success of agriculture. If need be, we can get along without a great many things which we desire to have, but food and clothing are essential and necessary to our existence, and they must come from the farm.

When the Ruler of the Universe graduated Adam and Eve from the Garden of Eden and started them up in practical life, he set them at work tiling the land—farming. Land and labor, the fundamental factors in production, were thus brought into partnership and have so remained ever since.

Agriculture is not in a satisfactory condition, and as a business matter it must have our consideration. The very introduction of the bill which we are now considering and the entire discussion which it has developed proves beyond a question that this most important business of all is depressed and is not receiving its fair share of the prosperity with which our country abounds. This is no controversy between capital and labor.

The farmer is by the very nature of his business both laborer and capitalist. He must invest capital before he can become a farmer. If he is a tenant farmer, his investment of capital is considerable in livestock and the necessary farm equipment. If he is a landowner, then his investment of capital is large, covering both ownership of land and the livestock and equipment necessary in its operation. On this capital invested he is entitled to a living wage in some proportion to that enjoyed by other trades, professions, and fields of labor. It is apparent to the most casual observer that the farmer has not been receiving either one of these sources of income that are his due. He has not received an adequate wage for labor performed; nor has he received a fair return on his capital invested. If the capital invested in farming belonged in every instance to the one making the investment, the loss of income, while unfair, would not be so serious, as the owner could endure the hardship; but in the great farming section of America the history of agriculture has been that men with limited capital but with unlimited willingness to work and to make a home for themselves and their families have largely used their credit and gone heavily into debt and assumed large obligations for property in an effort to acquire homes of their own. The interest on this indebtedness must be paid or the homes lost. It is a first charge on the best endeavor and hard work of the farmer and his family. It becomes, therefore, necessary that the farmer shall receive for the product of his year's labor a price that will permit him to pay his operating expenses, his taxes, and his interest charge, or, if he be a tenant, his rental charge. Did every farmer own his land free from encumbrance the matter of return of interest on the investment would not be so serious. He would be entitled to it; but if he failed to receive it for a time it would not be so serious a matter. But under present conditions as they are throughout the great agricultural sections of our country, the crop produced from the land must command a price sufficient to pay the operating expenses, the taxes, and the interest on the indebtedness, or else the man operating the farm becomes still more heavily involved in an increasing debt with a larger interest charge and often final insolvency and failure.

I come from Iowa, the center of agriculture. Boasting and pride and the present agricultural conditions are not consistent or in harmony at this time; and it is with no thought of boasting but in very great humility that I call your attention to the unquestioned preeminent position of Iowa in its relation to agriculture, for certainly if anywhere in the world agriculture should be prosperous it is in Iowa. Populated as it is by men who love to work, consisting as it does of about 56,000 square miles of rich black productive soil, populated by two and a half millions of people who delight in making it more productive as the years go by, it is the garden spot of America, the happy home of a sturdy people who because of these natural advantages, because of their industry and thrift, should be among the most prosperous people in America and would be were they receiving for their products a price that is equitable and in right proportion to the returns enjoyed by other industries.

If, then, Iowa is, agriculturally speaking, the best State in the Union; if its people are the equal of those living in any other section of our country—and these facts are conceded by everyone—why is Iowa not prosperous?

Others have spoken for the great Northwest and other great sections of our country, and the remedies proposed have been many, including dairying, crop diversification, raising of livestock—but in all of these Iowa now excels. While there are a number of ways in which conditions can be improved, such as reduced taxation, lower interest charges, more saving, care, and economy, the one outstanding thing that agriculture in Iowa needs is a satisfactory and fair price for its products, and this is what the McNary-Haugen bill is attempting to bring about.

We have taken a 10-year period—1905 to 1914—prior to the war, prior to either deflation or inflation; a 10-year period when business conditions were normal, when all our industries, including agriculture, seemed to sustain a fair relation to each other. We have called this a normal period. We have assumed that it was a fair period; that agriculture was receiving its due share, although I think it would be a matter of rather easy proof that even during this period the wage return on the farm was considerably below that in other lines of industry. But forgetting this and assuming and conceding that agriculture during this 10-year period was receiving its fair share of prosperity, let us see what the present condition is and what the present relation of agriculture is to all other industries and to labor.

Statistics and information gathered by the Department of Labor during this 10-year period are the most reliable to be had and their correctness is questioned by no one, and they will show that the present price of agricultural products has advanced a little less than 18 per cent as compared with that period. They will show that about 400 of our principal and general commodities have advanced about 80 per cent; they will show that factory labor has advanced about 120 per cent, making the relation of one to the other as compared with this 10-year period about as follows:

Agriculture, about 118 per cent.
Manufactured products, about 180 per cent.
Factory labor, about 220 per cent.

This shows beyond any possible argument that agricultural products are not receiving a price in proportion to what they are entitled and what they must receive if the farmer is to continue in business. It is not a question of how many cents or dollars the farmer receives for a bushel of corn or wheat, for his hogs or cattle, or for any other farm product. It is entirely a question of the purchasing power of his wheat or corn or livestock. How much will what he receives buy of something else, and if his product will only buy one-half or two-thirds as much of the world's products as it would during the normal period, which is now true, the farmer's disadvantage is very apparent. The desire on the part of the Government to help agriculture has been clearly shown. During the past few years a number of laws have been enacted intended to assist agriculture. More credit has been extended. Cooperative marketing

has been encouraged. It is, however, no longer a matter of more credit but rather of assistance in paying the credit already obtained. True it is that cheaper credit with longer time of payment will be helpful, but the thing essential is the market. A better price for our products. The only alternative is the reduction of the price of other commodities to the basis of the price of agricultural products. This, however, is not our remedy. It is our desire that labor shall be well paid. This probably makes necessary about the present price of our manufactured commodities, for in the final analysis it is the cost of labor and the business man's profit that makes necessary the price for our general commodities, as the cost of the natural product back in the beginning, before it is associated with labor or business, is usually a very small factor in the final cost of the commodity. It is our desire that business and labor shall receive a satisfactory return for the service they render, and we also insist that agriculture is fairly entitled to and should receive a satisfactory return for its products, which are even more necessary to the common welfare.

Now, what does the bill propose to do? It might be summed up in this one statement: To equalize prices by bringing up the price of agricultural products to its fair proportion to the price of labor and general commodities. Who will say that this should not be done? How does the bill propose to do this? Very briefly—

First. By creating an agricultural export corporation under whose authority the surplus of any agricultural product shall be determined.

Second. By ascertaining the ratio or fair proportionate price of any agricultural product as shown by the 10-year period heretofore referred to.

Third. If any product is not bringing this fair ratio price, by declaring an emergency in this product and buying the existing surplus at this ratio price and selling it abroad to the best advantage possible, retaining from the purchase price a sum sufficient to cover the cost of operation and the loss in export of such product. Can anyone question the fairness of this procedure? Can anyone question the desirability, if not the absolute necessity, of agriculture receiving a fair price for its products? What will happen if those engaged in agriculture become convinced that this line of industry does not offer to them the opportunity afforded in other lines of business and industry? All that agriculture is asking is that it be given the same home market given to labor and given to our manufactured products. This is a preferential market. There is no doubt of that and we are proud of the fact that we give labor a preferential market; that labor conditions here are much better than in any other part of the world. We do this not only by our direct labor legislation, fixing hours, classification, and conditions of labor; we do it by restricted immigration, which present a surplus; and we do it by our tariff laws, which make possible the payment of wages by our manufacturers far in excess of wages paid in similar industry in other parts of the world. We give the manufacturer a preferential home market. Our tariff laws have been from the very beginning intended to assist him, not only in paying good wages but in building up and developing his business and making it profitable, because we keep the home market for him by our tariff on imports. Agriculture asks that it be given the same home market in no sense any more preferential than that given to labor and to factory. If the factory produces a surplus, it stands the loss. A surplus in labor is almost prevented by our immigration laws. A surplus in agricultural products will be shipped abroad and the loss charged directly back to the producer, where it belongs, which will have the natural effect of checking overproduction. As it now is, the world's market controls the price of our agricultural products at home. Labor is rightly protected in a preferential home market; manufactured commodities are rightly protected in a preferential home market. Agricultural products must meet the competition of a world market with its cheap labor and its cheap cost of production. This is unfair and this disparity is eventually bound to destroy agricultural prosperity, lessen production, and bring about an increased home market that might even become a hardship to the consumer. The question is raised, Will this increase the cost of living? Will this increase the cost of food to the consumer? And I think we should at once concede that it will, but not to the extent that it will increase the price of the raw product to the producer. The price now received by the producer is so small a part of the price paid by the consumer that a reasonable addition to the amount the producer receives should not have serious effect on the price paid by the consumer. There is a wide margin and difference between what the producer receives and what the consumer pays, and it is believed that a considerable part of the increased price made possible to the producer by reason of this legislation will be taken up and absorbed and not passed on to the consumer.

We are talking orderly marketing, cooperative marketing, a better system of bringing the products of the farm to the consumer in the city, and this should be brought about by legislation which will go hand in hand with the bill under discussion—not in opposition but in friendly cooperation with it.

Much has been said regarding price fixing, and there is, I think, among many of us a feeling that the fixing of a stated price on any product would be uneconomical and unwise. This bill attempts no such thing. Under its provisions the price of agricultural products may go up or down, and must go up or down, just as do the prices of general commodities; that is, each is kept in proportion to the other. It is easy to be seen that if we were to name a fixed stated price on some agricultural product without regard to its future proportion to the price of other commodities or other agricultural products that there might be overproduction and inequality. This bill proposes no such thing. It seeks to do away with the lack of equity and the inequality of the present market condition and to cause prices of our products to sustain a fair ratio or proportion to each other.

There is room for difference of opinion—honest difference—as to the cause of the tremendous deflation of farm products and farm values. One thing we know for sure; it came and it hit us very hard. Some will say that the factory and business of every kind suffered the same deflation, and at once we concede that deflation came to every line of business, although perhaps not to the same extent as to the farm. There is this tremendous difference—after business and the factory took their deflation and the adjustment was made they again became profitable in their operation. The farmer took his deflation and ever since has been operating at a loss. The difference between operating at a loss and operating at a profit since the period of deflation is very large and has been tremendously unfair to agriculture, and it is this that must be remedied. If something is not done to put agriculture back on a paying basis where it belongs, every other line of business will soon be harmfully affected; but when the farmer can sell his products at a price that gives him a fair profit above the cost of production and he in turn buys the goods of the merchant and the manufacturer at a price that permits the paying of good wages and a fair profit, then the business cycle is complete. It is the endless chain of producing and of selling and of buying that brings prosperity. We are all brothers in prosperity or else we will be brothers in adversity. Capital, labor, and agriculture must be fair to each other. Neither can long prosper in this country without the other.

If the principle of the McNary-Haugen bill is right, and if it is intended to bring about equality and fairness and a right adjustment of the price of the world's greatest and most essential need, food products, shall we not give it a trial; and if the machinery for its operation proves faulty in any respect is it not possible for us to correct the defects and make the machinery work in fairness to all our citizens and thereby give agriculture the prosperity due it as a great basic industry of this country?

I hope this bill will be enacted into law.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

A message in writing from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President of the United States had approved and signed bills of the following titles:

On May 23:

H. R. 8905. An act to authorize the settlement of the indebtedness of the Kingdom of Hungary to the United States of America.

On May 24:

H. R. 694. An act to amend an act entitled "An act for the relief of the Saginaw, Swan Creek, and Black River Bands of Chippewa Indians in the State of Michigan, and for other purposes," approved June 25, 1910;

H. R. 1629. An act authorizing the removal of the restrictions from 40 acres of the allotment of Isaac Jack, a Seneca Indian, and for other purposes;

H. R. 2881. An act to compensate three Comanche Indians of the Kiowa Reservation;

H. R. 3800. An act to cancel an allotment of land made to Mary Crane, or Ho-tah-kah-win-kaw, a deceased Indian, embracing land within the Winnebago Indian Reservation in Nebraska;

H. R. 3900. An act to cancel two allotments made to Richard Bell, deceased, embracing land within the Round Valley Indian Reservation in California;

H. R. 4462. An act to amend an act entitled "An act authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes";

H. R. 4494. An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government land purchases within the Fort Berthold Indian Reservation, N. Dak.;

H. R. 4647. An act for the relief of the Underwood Typewriter Co. and Frank P. Trott; and

H. R. 7913. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Creek Indians may have against the United States, and for other purposes.

On May 24:

H. R. 4122. An act to amend an act entitled "An act to revive with amendments an act to incorporate the Medical Society of the District of Columbia," approved July 7, 1838, as amended;

H. R. 6357. An act for the reorganization and improvement of the foreign service of the United States, and for other purposes; and

H. R. 8262. An act to fix compensation of officers and employees of the legislative branch of the Government.

On May 26:

H. R. 7995. An act to limit the immigration of aliens into the United States, and for other purposes;

H. R. 9192. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and for other purposes;

H. R. 6012. An act to confer jurisdiction upon the Court of Claims to ascertain the costs to the Southern Pacific Co., a corporation, and the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River, and to render judgment therefor, as herein provided;

H. R. 2665. An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River in the vicinity of One hundred and thirty-fourth Street in the city of Chicago, county of Cook, State of Illinois;

H. R. 6810. An act granting the consent of Congress to the Millersburg & Liverpool Bridge Corporation, and its successors, to construct a bridge across the Susquehanna River at Millersburg, Pa.;

H. R. 7063. An act granting the consent of Congress to the State of Illinois, and the State of Iowa, or either of them, to construct a bridge across the Mississippi River connecting the county of Carroll, Ill., and the county of Jackson, Iowa.

H. R. 7846. An act to extend the time for the construction of a bridge across the North Branch of the Susquehanna River from the city of Wilkes-Barre to the borough of Dorranceton, Pa.;

H. R. 8229. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River; and

H. R. 8304. An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundredth Street, in the city of Chicago, county of Cook, State of Illinois.

On May 27:

H. R. 5855. An act to fix the salaries of officers and members of the Metropolitan police force, the United States park police force, and the fire department of the District of Columbia;

H. R. 2887. An act to authorize the extension of the period of restriction against alienation on the homestead allotments made to members of the Kansas or Kaw Tribe of Indians in Oklahoma; and

H. R. 6628. An act to change the name of Jewett Street west of Wisconsin Avenue to Cathedral Avenue.

On May 28:

H. R. 3236. An act to regulate the practice of optometry in the District of Columbia;

H. R. 6820. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes; and

H. R. 8350. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1925, and for other purposes.

On May 29:

H. R. 498. An act providing for a recreational area within the Crook National Forest, Ariz.;

H. R. 4981. An act to authorize the Secretary of War to grant permission to the city of Philadelphia, Pa., to widen Haines Street in front of the national cemetery, Philadelphia, Pa.;

H. R. 7113. An act to establish a dairy bureau in the Department of Agriculture, and for other purposes;

H. R. 169. An act to amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes;

H. R. 6298. An act to authorize the leasing for oil and gas mining purposes of unallotted lands on Indian reservations affected by the proviso to section 3 of the act of February 28, 1891; and

H. R. 8050. An act to detach Reagan County, in the State of Texas, from the El Paso division of the western judicial district of Texas and attach said county to the San Angelo division of the northern judicial district of said State.

On May 31:

H. R. 1442. An act authorizing issuance of patent to Charles Swanson.

H. R. 2875. An act to provide for the addition of the names of certain persons to the final roll of the Indians of the Flathead Indian Reservation, Mont.;

H. R. 2882. An act to provide for the reservation of certain land in Utah as a school site for Ute Indians;

H. R. 2884. An act providing for the reservation of certain lands in Utah for certain bands of Paiute Indians;

H. R. 4437. An act to quiet titles to land in the municipality of Flomaton, State of Alabama;

H. R. 5169. An act authorizing the Secretary of the Interior to grant a patent to certain lands to Johann Jacob Lutsch;

H. R. 5218. An act granting the consent of Congress to the Pittsburgh Coal, Land & Railroad Co. to construct a bridge across the Tug Fork of Big Sandy River at or near Nolan, in Mingo County, W. Va., to the Kentucky side in Pike County, Ky.;

H. R. 5416. An act to authorize the setting aside of certain tribal lands within the Quinaielt Indian Reservation in Washington for lighthouse purposes;

H. R. 6207. An act authorizing and directing the Secretary of War to transfer to the jurisdiction of the Department of Justice all that portion of the Fort Leavenworth Military Reservation which lies in the State of Missouri, and for other purposes;

H. R. 7500. An act to authorize the sale of certain lands at or near Adger, Ada County, Idaho, for railroad purposes;

H. R. 8070. An act authorizing preliminary examinations and surveys of sundry streams with a view to the control of their floods;

H. R. 4820. An act to amend an act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922; and

H. R. 1475. An act for the relief of Luke Ratigan.

ADJOURNMENT

Accordingly (at 7 o'clock and 24 minutes p. m.) the House adjourned until Monday, June 2, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

539. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the District of Columbia, one for the fiscal year ending June 30, 1924, in the sum of $15,000, and five for the fiscal year ending June 30, 1925, amounting to $1,323,192.21; in all, $1,338,192.21 (H. Doc. No. 342); to the Committee on Appropriations and ordered to be printed.

540. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Executive office for the fiscal year ending June 30, 1925, for additional personnel and equipment for the White House police force required in accordance with the provisions of the act approved May 27, 1924 (Public, No. 148, 68th Cong.), amounting to $14,100 (H. Doc. No. 343); to the Committee on Appropriations and ordered to be printed.

541. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior of an amount required to be withdrawn from Indian tribal funds for the fiscal years 1924 and 1925, amounting to $100,000 (H. Doc. No. 344); to the Committee on Appropriations and ordered to be printed.

542. A communication from the President of the United Sates, transmitting a draft of proposed legislation for the relief of James W. Boyer, jr. (H. Doc. No. 345); to the Committees on Appropriations and Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GREEN of Iowa: Committee on Ways and Means. H. R. 9076. A bill to amend sections 2 and 5 of the act entitled "An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws," approved March 4, 1923; with amendment (Rept. No. 912). Referred to the Committee of the Whole House on the state of the Union.

Mr. EDMONDS: Committee on Claims. H. R. 9535. A bill authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes; without amendment (Rept. No. 913). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. J. Res. 61. A joint resolution authorizing the Director of the United States Veterans' Bureau to grant a right of way over the United States Veterans' Bureau hospital reservation at Knoxville, Iowa; without amendment (Rept. No. 914). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. S. 2745. An act to authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes; without amendment (Rept. No. 916). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. 2848. An act to validate an agreement between the Secretary of War, acting on behalf of the United States, and the Washington Gas Light Co.; without amendment (Rept. No. 917). Referred to the Committee of the Whole House on the state of the Union.

Mr. REED of New York: Committee on Industrial Arts and Expositions. H. J. Res. 268. A joint resolution for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927; without amendment (Rept. No. 918). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 3269. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; without amendment (Rept. No. 919). Referred to the House Calendar.

Mr. HULL of Iowa: Committee on Military Affairs. H. R. 6652. A bill to authorize the city of Los Angeles, in the State of California, to construct and operate a line of railroad across the Fort MacArthur Military Reservation, in the State of California; with amendments (Rept. No. 924). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McKENZIE: Committee on Military Affairs. H. R. 9553. A bill to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army; without amendment (Rept. No. 915). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. H. R. 1076. A bill for the relief of the State Bank & Trust Co. of Fayetteville, Tenn.; without amendment (Rept. No. 920). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on War Claims. H. R. 9131. A bill for the relief of Martha Janowitz; without amendment (Rept. No. 921). Referred to the Committee of the Whole House.

Mr. FREDERICKS: Committee on Claims. S. 1605. An act for the relief of Emma Kiener; without amendment (Rept. No. 922). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 1199. An act authorizing the appointment of William Schuyler Woodruff as an Infantry officer, United States Army; with an amendment (Rept. No. 923). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WATKINS: A bill (H. R. 9589) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education.

By Mr. CANFIELD: A bill (H. R. 9590) to amend schedule 2 of the act entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes," approved September 21, 1922, and for other purposes; to the Committee on Ways and Means.

By Mr. MANLOVE: A bill (H. R. 9591) to establish the Ozark National Park in the State of Missouri; to the Committee on the Public Lands.

By Mr. CRAMTON: A bill (H. R. 9592) to establish a bureau of reclamation in the Department of the Interior and define its powers and duties, and for other purposes; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 9593) to provide safeguards for future Federal irrigation development, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. PORTER: Resolution (H. Res. 333) providing for the printing of certain reports and data submitted to the Committee on Foreign Affairs relating to the traffic in habit-forming narcotic drugs; to the Committee on Printing.

By Mr. REED of New York: Resolution (H. Res. 334) to provide for consideration of H. J. Res. 268, a joint resolution for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927; to the Committee on Industrial Arts and Expositions.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 9594) for the relief of Stanton & Jones, contractors, of Leavenworth, Kans.; to the Committee on Claims.

By Mr. BLACK of New York: A bill (H. R. 9595) for the relief of the State of New York; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 9596) granting increase of pension to Eleanora E. Seymour; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 9597) granting an increase of pension to Anna J. Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9598) granting an increase of pension to Martha M. Russell; to the Committee on Pensions.

By Mr. LARSON of Minnesota: A bill (H. R. 9599) for the relief of the widow of George A. Richey; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 9600) granting an increase of pension to Sarah A. Nelson; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 9601) granting a pension to Ellen Stout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9602) granting a pension to Sallie Cope; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 9603) granting increase of pension to Mary M. Files; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9604) granting a pension to Ella S. Curtis; to the Commitee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 9605) granting an increase of pension to Anna E. Wilsey; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 9606) for the relief of Karim Joseph Mery; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2969. By Mr. CAMPBELL: Petition of certain electors of the thirty-sixth Pennsylvania congressional district, opposing enactment of the Howell-Barkley bill (H. R. 7358); to the Committee on Interstate and Foreign Commerce.

2970. By Mr. CLEARY: Petition of employees of post office, Station Y, Brooklyn, N. Y., favoring postal wage bill; to the Committee on the Post Office and Post Roads.

2971. By Mr. FULLER: Petitions of the Sangamon County (Ill.) Farm Bureau, the Minnesota Wheat Growers' Cooperative Marketing Association, the Pullman State Bank, the Associated Organizations of Farmers and Business Men, of La Crosse, Wis., and sundry citizens, urging enactment of the McNary-Haugen bill; to the Committee on Agriculture.

2972. Also petitions of Manufacturers National Bank, Rockford Lumber & Fuel Co., Excelsior Leather Washer Co., and

sundry citizens of Rockford, Ill., urging passage of the bill to increase salaries of postal employees; to the Committee on the Post Office and Post Roads.

2973. Also, petitions of the Sycamore (Ill.) Chamber of Commerce and sundry citizens of Sycamore, Ill., urging passage of the McCormick-Hawes upper Mississippi River wild life and fish refuge bill; to the Committee on Agriculture.

2974. Also, petition of the American Field Seed Co., of Chicago, and sundry citizens of Morris, Ill., opposing any increase of parcel post or fourth-class postage rates; to the Committee on the Post Office and Post Roads.

2975. By Mr. GALLIVAN: Petition of Henry H. Carter, Boston, Mass., urging early and favorable consideration of legislation to repeal the 50 per cent surcharge on Pullman tickets; to the Committee on Interstate and Foreign Commerce.

2976. Also, petition of employees of the Post Office Department, Boston, Mass., respectfully requesting favorable action on House bill 9035; to the Committee on Rules.

2977. By Mr. MANLOVE: Petition of Joplin (Mo.) Chapter, Isaac Walton League, petitioning Congress to pass House bill 4088, known as the upper Mississippi River wild life and refuge act; to the Committee on Agriculture.

2978. By Mr. RAKER: Petition of Chicago District Ice Association, Chicago, Ill., urging support of bill permitting diversion of 10,000 cubic feet of water per second from Lake Michigan into the drainage canal at Chicago; to the Committee on Rivers and Harbors.

2979. Also, petition of Tanner-Stephenson Co., Oakland, Calif., urging support of the San Carlos Dam bill (S. 966); to the Committee on Indian Affairs.

2980. Also, petition of Unitarian Headquarters for the Pacific Coast (Inc.), San Francisco, Calif., and resolution urging participation in the International Opium Convention; to the Committee on Foreign Affairs.

2981. Also, petition of Medical Society of the State of California, San Francisco, Calif., relative to imposition of income tax at lower rates upon earned income as compared with unearned income; to the Committee on Ways and Means.

2982. Also, petition of Ed J. Cantwell, secretary National Association of Letter Carriers, Washington, D. C., urging support of House bill 9035 in re increase in salaries of postal employees; to the Committee on the Post Office and Post Roads.

2983. Also, petition of National Woman's Party, California Branch, San Francisco, Calif., urging support of the national equal rights amendment; to the Committee on the Judiciary.

2984. Also, petition of General Motors Acceptance Corporation, San Francisco, Calif., in re House bill 7179, providing that motor vehicles seized shall be sold and final proceeds paid over to the United States; to the Committee on the Judiciary.

2985. Also, petitions of Coffin Redington Co., San Francisco, Calif., in re House bill 6645, in re administration of prohibition law, and Langley & Michaels Co., San Francisco, Calif., in re House bill 6645; to the Committee on the Judiciary.

SENATE

MONDAY, *June 2, 1924*

(Legislative day of Saturday, May 31, 1924)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The PRESIDENT pro tempore. The Senate resumes the consideration of the unfinished business, House Joint Resolution 184.

Mr. OVERMAN obtained the floor.

Mr. CURTIS. Mr. President, will the Senator from North Carolina yield to enable me to suggest the absence of a quorum?

Mr. OVERMAN. I yield for that purpose.

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Dial	Johnson, Calif.	Neely
Ashurst	Dill	Johnson, Minn.	Norbeck
Ball	Edwards	Jones, Wash.	Norris
Bayard	Ernst	Kendrick	Oddie
Borah	Fernald	Keyes	Overman
Brandegee	Fess	King	Owen
Broussard	Fletcher	Ladd	Pepper
Bruce	Frazier	La Follette	Phipps
Cameron	George	Lenroot	Pittman
Capper	Glass	Lodge	Ransdell
Caraway	Gooding	McCormick	Reed, Mo.
Colt	Hale	McKellar	Reed, Pa.
Copeland	Harreld	McKinley	Robinson
Cummins	Harrison	McLean	Sheppard
Curtis	Heflin	McNary	Shipstead
Dale	Howell	Moses	Shortridge
Simmons	Stanfield	Swanson	Warren
Smith	Stanley	Trammell	Weller
Smoot	Stephens	Wadsworth	Willis
Spencer	Sterling	Walsh, Mont.	

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Seventy-nine Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

H. R. 3143. An act for the relief of Bernice Hutcheson;

H. R. 6202. An act to amend sections 11 and 12 of the merchant marine act, 1920;

H. R. 7122. An act for the relief of the Eagle Pass Lumber Co., of Eagle Pass, Tex.; and

H. R. 7220. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1925, and for other purposes.

PETITIONS AND MEMORIALS

Mr. ASHURST. I ask consent to print in the RECORD and have appropriately referred some resolutions adopted by the recent convention of the American Legion, at Yuma, Ariz.

There being no objection, the resolutions were ordered to be printed in the RECORD and referred as indicated below:

To the Committee on Finance:

Resolution 10

Be it resolved, That we, the American Legion, Department of Arizona, in convention assembled at Yuma, Ariz., May 8, 9, and 10, 1924, do hereby commend and approve the efforts of United States Senators ASHURST, ODDIE, CARAWAY, HEFLIN, and JOHNSON of California, to purge the United States Veterans' Bureau of those among its officials and employees termed by Senator ODDIE, one of the select committee of Senators which investigated the Veterans' Bureau, as the "ring"; and be it further

Resolved, That a copy of this resolution, accompanied by a suitable letter of thanks and appreciation for this work, to be prepared by the department adjutant, be promptly sent to each of the above-enumerated Senators.

Resolution 7

Whereas the disabled veterans of this district are so dissatisfied with the administration of Major Grant that his continuance in office in the twelfth district will have a seriously detrimental effect on their recovery: Therefore be it

Resolved, That the American Legion, Department of Arizona, in State convention assembled, do therefore petition that Major Grant be removed from the twelfth district; and be it further

Resolved, That any further action necessary to correct the inefficiency in the twelfth district as recommended by the Senate investigation committee be taken without delay; and be it further

Resolved, That copies of this resolution be sent to Director Hines, Senator ODDIE, Senator ASHURST, Senator CAMERON, and Representative HAYDEN.

To the Committee on Indian Affairs:

Resolution 1

Whereas there is now pending before Congress a bill providing for an appropriation for the building of the San Carlos Dam; and

Whereas the building of the San Carlos Dam would furnish water for the Pima Indians, who have at all times been friends to the white men in Arizona, and many of whom are ex-service men; and

Whereas we are advised the Pima Indians, true to their traditional friendship for the white race, have expressed an intention to release a portion of their reservation that it may be thrown open for settlement, which will give all ex-service men a preferential right of entry: Therefore be it

Resolved, That the American Legion, Department of Arizona in convention assembled, does hereby commend the action of Senators RALPH CAMERON and HENRY F. ASHURST, and the Hon. CARL HAYDEN already taken, and does hereby indorse and recommend the immediate passage of said bill; and be it further

Resolved, That a copy of this resolution be sent to the Hon. FREDERICK C. GILLETT, Speaker of the House of Representatives, to the Hon. CARL HAYDEN, Congressman from Arizona, to the Hon. HOMER P. SNYDER, chairman Committee on Indian Affairs, House of Representatives, and the chairman of national legislative committee of the American Legion, and Senators ASHURST and CAMERON.

Resolution 4

Whereas there is now pending before Congress Senate bill No. 203 that provides for the development of the lands within the Colorado River Indian Reservation for the benefit of the Indians and of veterans of the World War; and